

CONFIDENTIAL.

(5806.)

F.O.

403

PART XX.

FURTHER CORRESPONDENCE

RESPECTING

AFFAIRS IN NORTH AFRICA.

121

January to April 1889.

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CONFIDENTIAL.

Further Correspondence respecting Affairs in North Africa.

PART XX.

No. 1.

The Marquis of Salisbury to Sir W. K. Green.

(No. 1.)

(Telegraphic.)

Foreign Office, January 1, 1889, 5.20 P.M.

YOUR despatch No. 144.

Separate, as you suggest, compensation for personal victims of Cape Juby outrage from other questions.

On latter you will receive further instructions. Accept 5,000*l.* for widow and 1,000*l.* for two wounded men.

No. 2.

Foreign Office to Consul Ricketts.

(No. 2.)

Sir,

Foreign Office, January 2, 1889.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your despatch No. 30 of the 18th ultimo in regard to the demand made on the Interpreter of the British Consular Agency at Monastir by the authorities of that place for payment of the poll tax, contrary to the provisions of Article III of the Convention with Tunis of the 19th July, 1875.

I am to convey to you his Lordship's approval of the terms of your note to the French Resident, a copy of which you inclose, and to instruct you to press for a reply to it should none have been received when this despatch reaches you.

I am, &c.

(Signed) T. V. LISTER.

No. 3.

Consul Ricketts to the Marquis of Salisbury.—(Received January 3, 1889.)

(No. 32.)

My Lord,

Tunis, December 24, 1888.

I HAVE the honour to inform your Lordship that on the 16th of this month the shop and premises of a certain Mr. G. Licari (British subject), proprietor of a manufactory, and residing at Tunis, was entered by the police under the orders of an Inspector of the Sanitary Board appointed by the Municipal Council. Some 2,000 bottles of liquor and various other articles were then seized and placed under seal. Two months prior to this, the establishment of Mr. Licari was entered by an Inspector and several samples demanded of the goods manufactured. The samples were not obtained by paying for them, but were taken as a right. Having been subjected to an analysis, they were found, according to French experts, unfit for consumption, and were accordingly seized as above related. The Rules regulating the sale of liquors are published in a Municipal Decree of the 15th July, 1888, and are herewith inclosed.

Mr. G. Licari, the owner of the goods, who was away at the time, has now returned, and asserts positively that the alcohol for making his liquors was bought in France, that the colouring matter is merely cochineal, and that the goods sold by him are quite harmless. He has been to the President of the Municipal Council and

demanded a fresh examination; the President says he is very sorry, and has referred him to the Procureur, to whom the matter alleged to be criminal has been submitted.

Mr. Licari called on the Procureur and told him he wished an examination to be made of the sealed samples by other experts appointed by the Municipality, some one being permitted also to attend on his behalf. The Procureur advised him to petition him on this subject. If then this be admitted, Mr. Licari will have the means of proving the truth of his assertions; but, if not allowed, there is apparently no remedy. Indeed, the only way in which this could have been done properly would have been through an inspection having been permitted at the time of the first entry as well as at the time of the seizure, in the presence of some one deputed by the Consulate; and such is the line of procedure which would have been adopted had this question arisen under the Government of the Bey, unshackled by French interference. The authorities assert their right in this affair, basing it on the XVIIth Article of the Treaty of 1875, under which foreigners are subjected to the formalities of the Municipal laws, the jurisdiction having been ceded to them.

If the act complained of had proceeded in the first instance under an order of the Court, the Consular jurisdiction having been ceded, this line of argument might perhaps be admitted. As, however, the sequester of this property was carried out by the order of the officers of the Municipality, no Judge's order having been issued in the commencement, the following question arises: Can the entry of the establishment of Mr. Licari by the police, in company with the Municipal and Sanitary authorities, be looked upon as coming within the scope of the Order in Council of 1883, or ought it to be regarded as an act proceeding from the Administrative authorities, which should have been notified to the Consulate in accordance with the terms of the Protocol of 1868, signed at Constantinople, under which "the dwelling of a foreigner is inviolable, the officers of the police not being able to enter without the consent of the Consulate?"

In this case is involved the principle of the inviolability of the dwellings of foreigners by the Municipal and other authorities, a principle which is upheld by Article V of the Treaty of 1875, and which has always been acknowledged in the Levant. The decision which may regulate this point in future is of the greatest importance to foreigners residing here, for it cannot be disguised that whereas British and foreign traders, especially Italians, are exposed to much trouble and annoyance through the execution of the Beylical Decree aforesaid, little notice is taken of the spurious liquors imported from France, as well as of those manufactured by French distillers.

Your Lordship will see, from what has herein been said, how difficult it is for Treaties to be rightly maintained when the basis on which they rest has been removed.

After writing the above I received a letter from Mr. Licari, copy of which is herewith inclosed. From this it would seem that the authorities have not yet decided upon their final action in this matter.

Herewith inclosed will be found a protest in this matter made by Mr. Licari.

I have, &c.

(Signed) G. T. RICKETTS.

Inclosure 1 in No. 3.

Extract from the "Journal Officiel Tunisien."

Alimentation Publique.

LE Général, Président de la Municipalité, Chevalier de la Légion d'Honneur;

En vertu des pouvoirs qui lui sont conférés par les Décrets d'Organisation des Communes de la Régence;

Vu le Décret du 11 Ramadan, 1305 (21 Mai, 1888) relatif à la falsification et à l'altération des substances ou denrées alimentaires ou médicamenteuses destinées à être vendues;

Vu l'avis de M. le Directeur du Laboratoire de Chimie Agricole et Industrielle de la Régence;

Vu l'avis de M. l'Inspecteur des Denrées Alimentaires;

Considérant que pour les liquides alimentaires, vins, bière, lait, sirops, liqueurs et

vinaigres, il est particulièrement utile de préciser les falsifications qu'ils peuvent subir et les conditions dans lesquelles ils doivent être livrés à la consommation.

Arrête :

Article 1^{er}. L'emploi dans les boissons de l'acide salicylique est formellement interdit. Sa présence en quelque proportion que ce soit, sera toujours considérée comme falsification nuisible à la santé.

Art. 2. Aucun vin ne pourra être livré à la consommation s'il ne contient par litre 8 pour cent d'alcool en volume et 20 grammes d'extrait sec.

Seront considérés comme vins frelatés, tous vins dans lesquels auront été ajoutés des matières pouvant changer sa composition primitive.

Toutefois le plâtrage sera toléré jusqu'à concurrence de 3 grammes de sulfate de potasse par litre. Au delà de cette quantité le plâtrage sera considéré comme falsification nuisible à la santé.

Le sucrage appliqué aux vins naturels sera poursuivi comme falsification.

L'addition de glucose dans les vins dits sucrés, ou piquettes, sera considérée comme falsification nuisible à la santé.

Art. 3. L'eau, la levure, l'orge, et le houblon doivent seuls entrer dans la préparation de la bière.

Tout liquide vendu sous le nom de bière qui renfermerait d'autres éléments sera considéré comme falsifié à moins que, les matières employées étant inoffensives, cette boisson ne soit vendue sous une dénomination indiquant suffisamment la nature des produits ajoutés.

Les bières livrées à la consommation devront contenir au minimum par litre 3 pour cent en volume, 35 grammes d'extrait sec et 1 gr. 5 de cendres.

Toute bière dont la composition serait au-dessous de ces limites sera considérée comme mouillée et ne pourra être vendue que sous le nom de petite bière.

Art. 4. Tout lait mis en vente devra contenir pour 100 parties :—

Au maximum : 90 parties d'eau.

Et au minimum : 10 parties de matières sèches (extrait) réparties ainsi qu'il suit :—

Beurre ..	..	..	..	..	..	..	20 parties.
Sucre de lait ..	..	..	..	..	..	..	40 "
Caseïne, allumine, et cendres..	..	..	..	..	..	..	40 "
							100 "

Le lait mis en vente qui contiendrait moins de 10 parties pour cent de matières sèches (extrait) sera considéré comme lait falsifié aussi bien que celui qui contiendrait des matières étrangères à sa composition normale.

Art. 5. Le sucrage des sirops et liqueurs au moyen de glucose est interdit. Il sera considéré comme falsification nuisible à la santé.

La coloration artificielle sera tolérée à la condition d'être obtenue par l'emploi des matières suivantes :—

Indigo, bleu de Prusse ou de Berlin, bleu outremer, cochenille, carmin, laque carminée, laque du Brésil, orseillé, safran, graine d'Avignon, graine de Perse, quercitron, curcuma, fustel, bois d'Inde.

Sont formellement interdites comme matières nuisibles à la santé, les composés de cuivre, de plomb, de baryte, d'arsenic, et de mercure.

Art. 6. L'addition d'acides étrangers à la composition du vinaigre, sera considérée comme falsification.

L'emploi d'acides minéraux constituera une falsification nuisible à la santé.

Art. 7. M. le Directeur du Laboratoire de Chimie, Agricole, et Industrielle, M. l'Inspecteur des Denrées Alimentaires, et M. le Commissaire Central sont chargés, chacun en ce qui le concerne, de l'exécution du présent Arrêté.

Le Président de la Municipalité,

(Signé)

MOHAMMED EL-ASFOURI.

Tunis, le 2 Juillet, 1888.

Vu et approuvé :

Le Premier Ministre,

(Signé)

MOHAMMED EL-AZIZ-BOU-ATTOUR.

Tunis, le 15 Juillet, 1888.

Alimentation Publique.

Le Général, Président de la Municipalité, Chevalier de la Légion d'Honneur,
En vertu des pouvoirs qui lui sont conférés par les Décrets d'Organisation des
Communes de la Régence ;

Vu le Décret du 11 Ramadan, 1305 (21 Mai, 1888), relatif à la falsification et à
l'altération des substances ou denrées alimentaires ou médicamenteuses, destinées à
être vendues ;

Vu l'avis de M. le Directeur du Laboratoire de Chimie, Agricole, et Industrielle ;

Vu l'avis de M. l'Inspecteur des Denrées Alimentaires ;

Considérant que si la coloration artificielle de certaines denrées et spécialement
des confiseries, est d'un usage constant, elle ne doit être tolérée qu'à la condition d'être
obtenue par l'emploi de substances inoffensives.

Arrête :

Article 1^{er}. La coloration des produits de la confiserie devra être exclusivement
obtenue par l'emploi des matières ci-après :—

Couleurs bleues.—Indigo, bleu de Prusse ou de Berlin, bleu d'outremer.

Couleurs rouges.—Cochenille, carmin, laque carminée, laque du Brésil orseillé.

Couleurs jaunes.—Safran, grains d'Avignon, graine de Perse, quercitron, curcuma,
fustel.

Couleurs vertes.—Mélange des substances ci-dessus donnant les couleurs bleues et
les couleurs jaunes.

Couleurs violettes.—Bois d'Inde.

L'emploi des composés de cuivre, de plomb, est formellement interdit et sera
considéré comme falsification nuisible à la santé.

Art. 2. M. le Directeur du Laboratoire de Chimie, Agricole, et Industrielle,
M. l'Inspecteur des Denrées Alimentaires, et M. le Commissaire Central, sont chargés,
chacun en ce qui le concerne, de l'exécution du présent Arrêté.

Le Président de la Municipalité,

(Signé)

MOHAMMED EL-ASFOURI.

Tunis, le 2 Juillet, 1888.

Vu et approuvé :

Le Premier Ministre,

(Signé)

MOHAMMED EL-AZIZ-BOU-ATTOUT.

Tunis, le 15 Juillet, 1888.

Inclosure 2 in No. 3.

Mr. Licari to Consul Ricketts.

M. le Consul,

Tunis, le 24 Décembre, 1888.

J'AI l'honneur de vous faire part des faits suivants, lesquels concernent l'objet
même des requêtes que j'ai eu l'honneur de vous adresser les 17 et 21 courant.

Aujourd'hui, Lundi, 24 Décembre, 1888, vers 10 heures du matin, M. Sbrana,
Inspecteur Municipal de l'Alimentation et Hygiène Publiques, s'est présenté chez moi,
en mon établissement, Rue d'Espagne, et m'a dit tout d'abord que je devais ne point
m'offusquer des mesures ordonnées et mises en exécution contre moi, que la saisie
pratiquée dans mon établissement le 16 courant avait été faite non seulement chez moi
mais encore chez de mes confrères, qu'enfin lui (M. Sbrana) n'avait personnellement
rien fait à mon encontre qu'en vertu des ordres et du mandat qu'il avait reçus de
l'autorité.

Puis il m'a dit que M. le Chimiste du Laboratoire Municipal, avant de laisser
nommer de nouveaux experts par le Juge d'Instruction, voulait se bien persuader de
l'exactitude de ses analyses, " attendu que les chimistes mêmes du laboratoire de Paris
se trompent facilement." (Ce sont textuellement les paroles de M. Sbrana).

Il m'a dit encore que M. le Chimiste a reconnu que le " Sirop de Gomme " saisi
chez moi, bien qu'il ne contienne pas de gomme (suivant l'analyse municipale) n'est
pas nuisible à la santé ; et qu'il se proposait d'analyser le sucre qui compose ce sirop
pour rechercher qu'il contient de la glucose.

M. Sbrana m'a encore rapporté que M. le Chimiste Municipal n'a trouvé dans les
liqueurs saisies chez moi autre chose qu'un dérivé du goudron de houille, mais que cela
était chose à vérifier. Je dois ajouter à ce sujet, que les nouvelles analyses que se
propose de faire M. le Chimiste Municipal seront faites sur les échantillons des liqueurs
saisies prélevés dans les succursales de mon établissement à Tunis.

Enfin, M. Sbrana m'a appris que des pourparlers et des démarches auprès du Juge
d'Instruction avaient eu lieu pour ménager une mesure transitoire telle que celle prise
pour la vente des vins plâtrés, c'est-à-dire, pour accorder un délai pendant lequel
l'écoulement des liqueurs et sirops saisis serait permis, sauf l'édiction de mesures à
observer ultérieurement.

Je dois vous informer, M. le Consul, de ce que ce colloque a eu lieu en présence de
MM. Gius. Bianchi, plombier, Gagou Gabison, agent de change, Emmanuele Licari,
mon frère, et Perez, mon comptable.

En somme, je suis persuadé de ce que :—

1. M. Sbrana n'est pas venu de son propre mouvement me dire tout cela, mais
qu'il était mandé par ses chefs ; un agent l'accompagnait, et s'est promené de long en
large devant ma porte, pendant toute la durée de notre conversation.

2. Cette démarche doit provenir de ce que M. le Chimiste Municipal craint de
s'être trompé dans ses analyses, de s'être trop avancé en signalant les échantillons
de mes liqueurs saisis comme nuisibles à la santé ; et cette démarche doit avoir pour
but de me faire désister de mes protestations et de me faire abandonner les réclamations
que j'ai remis entre vos mains, aux soins de votre haute et paternelle bienveillance.

Mais je n'en persiste pas moins, M. le Consul, dans mes réclamations et protesta-
tions ; et c'est précisément pourquoi j'ai cru devoir vous donner le détail circonstancié
des faits ci-dessus.

Agréez, &c.

(Signé) G. LICARI.

Inclosure 3 in No. 3.

Mr. Licari to Consul Ricketts.

M. le Consul,

Tunis, le 21 Décembre, 1888.

COMME suite à ma requête du 17 courant, concernant la saisie de liqueurs
pratiquée chez moi par les agents du Service Municipal de l'Alimentation et de
l'Hygiène Publiques, j'ai l'honneur de vous exposer :

Que je proteste contre les faits accomplis contre moi, en ma demeure, le
16 Décembre, 1888, et relatés dans ma requête susmentionnée. Je considère comme
une violation des Traités l'entrée dans mon domicile d'agents de la Municipalité
Tunisienne, agissant sans l'autorité d'une décision émanée des Tribunaux réguliers
établis et seuls reconnus par les Traités en vigueur. Je considère que ces agents
n'avaient aucun mandat valable, aucune autorité pour pénétrer dans mon domicile, y
faire des recherches et perquisitions, interdire ma porte, saisir des marchandises, &c. Je
considère que comme sujet Anglais, je ne suis soumis qu'aux Magistrats des Tribunaux
Français régulièrement institués, et que tout agent quelconque de l'autorité Tuni-
sienne qui à affaire chez moi ne peut y pénétrer sans mon assentiment, qu'avec
l'approbation et l'assistance de mon Consul. Si ma façon de voir est exacte en ce
point, s'il y a lieu de considérer comme violation des Traités l'entrée dans mon domicile
des agents de la Municipalité Tunisienne, les faits dont je suis victime constituent
absolument une violation de domicile. Chose grave.

Que je proteste et prétends contredire les analyses faites par les soins de la
Municipalité Tunisienne des échantillons de liqueurs et sirops prélevés dans mes
magasins. J'ai fait procéder déjà à de premières épreuves et je me propose de
demander la contre-expertise ou contre-analyse des liqueurs déclarées impropres à la
consommation par la Municipalité. Je crois pouvoir parvenir à démontrer que les
analyses Municipales sont inexactes, que les liqueurs et sirops saisis ne contiennent
pas le dérivé de houille que le Chimiste Municipal a déclaré (sans préciser, sans dire
quel dérivé) avoir servi de colorant.

J'étais absent, et c'est à mon retour que je m'empresse de vous adresser cette
protestation.

J'y dois ajouter que je fais mes réserves les plus expresses au sujet des faits sus-
mentionnés, à raison du préjudice matériel et moral que m'ont causé ces faits.

Veuillez, &c.

(Signé) G. LICARI.

P.S.—Je viens de recevoir en ce moment un mandat de comparution de la part
du Parquet pour demain à 3 heures de l'après-midi pour comparaître moi et mon frère
Emmanuele devant le Juge d'Instruction.

G. L.

Consul Ricketts to the Marquis of Salisbury.—(Received January 3, 1889.)

(No. 33.)

My Lord,

I HAVE the honour to transmit herewith inclosed to your Lordship, in translation, a despatch from the Vice-Consul of Monastir of the 20th instant, stating it has been rumoured that all British subjects employed in that district under the Government of the Bey are likely to be dismissed from their offices should they not assume French nationality.

This rumour has been confirmed in a despatch of the 24th instant, a translation of which is also herewith sent.

On the other hand, it is reported in Tunis that all foreigners employed in the Bey's service will have the option of becoming either Tunisian or French subjects, and that a Decree will be shortly issued to this effect, but the truth of this will only be able to be ascertained after publication of the Decree in question.

What may be the exact number of Maltese subjects who are likely to be affected by this measure I cannot at present say, but they are probably not far from fifty. Some are engaged in the Resident's office, some in the Customs, some in the service of the ports, while others are employed as clerks to the Municipalities, there being no less than twenty-four Maltese in Government offices at Tunis alone. Some of these have passed many years in the service of the Bey prior to the French occupation, but none of them, when they took service, ever contemplated the idea of being asked to give up their own national character.

A master is not obliged to retain a servant any longer in his service than he chooses, but in most civilized countries he is liable to an action of damages should he dismiss his employé without good reason before the term of his service expired, or without giving due notice of his intention in this respect.

If, therefore, any of these persons consider themselves aggrieved, they ought to be indemnified for the wrong done, for the refusal to assume the nationality of a foreign State, no stipulation having been entered into on this point at the time of engagement, can hardly be held a legal cause of dismissal; but will they be able to obtain any redress in this country through the process of law? I think not. They must therefore either lose their nationality, or give up the employments hitherto secured to them under the Government of the Bey, the only means of supporting themselves and their families.

One can understand some such regulation as the above being made applicable to foreigners entering the Bey's service after a given date, but its application without due notice is, to say the least of it, harsh and arbitrary.

No posts have been abolished by this Government with the view of economy, nor, as far as I can find out, have any faults or misconduct been attributed to the Maltese officials. One is therefore led to regard this measure as arising solely from a desire on the part of the advisers of the Bey to place the various Departments of the State in the hands of French subjects—another step in the process of annexation.

Numerous Italians being likely to be affected by this new regulation, a Report has, I believe, been made in reference to this matter by M. Berio to his Government.

I have, &c.
(Signed) G. T. RICKETTS.

Inclosure 1 in No. 4.

Mr. Portelli to Consul Ricketts.

(Translation.)

Sir,

AS it is rumoured that all persons employed who are not French subjects shall be dismissed unless they become so, I have been repeatedly asked by the Maltese employed at the Custom-house of this district to inform you of this circumstance that you may suggest to them what they are to do, as they have not the least intention of changing their nationality in case this measure is adopted.

I have, &c.
(Signed) F. PORTELLI.

Mr. Portelli to Consul Ricketts.

(Translation.)

Sir,

Monastir, December 24, 1888.

I HAVE the honour to inform you that, in confirmation of what I have written in my last letter, it was this day intimated to all persons employed at the Custom-house that, if they did not become French subjects at the beginning of the new year, they shall be ordered to quit. What a fine Christmas present.

Among these there are three British subjects who have been employed with the Bey for the last thirteen years.

I have, &c.
(Signed) F. PORTELLI.

No. 5.

Consul Ricketts to the Marquis of Salisbury.—(Received January 3, 1889.)

(No. 37.)

My Lord,

Tunis, December 24, 1888.

I HAVE the honour to inform your Lordship that on the 18th of this month I attended a meeting of my colleagues for the nomination of Deleagués as required under the Law regulating the organization of French jurisdiction in Tunis. Under this Law, two Deleagués have to be appointed by the Representatives of the foreign Powers at Tunis. These Deleagués sit on a Commission, together with the French Resident, the President of the Tribunal, and the Procurator of the Republic for the appointment of Assessors in criminal matters.

It will be observed, therefore, that the French members are in the majority, although the number of the French population does not form one-seventh part of that of the foreign Residents. It must also be borne in mind that the naming of two Deleagués only by the Representatives of five or six foreign Powers, each having a community of its own to look after, is not an easy matter; in this instance the Commission of Consuls elected an Italian and Maltese Delegué; but if an Italian and a Spanish Delegué were elected, the Maltese would be left without any one to represent their interests in criminal matters.

Under these circumstances, I would suggest that some alteration be made in this Law, and that each Representative should have the right of naming his own Delegué.

I have, &c.
(Signed) G. T. RICKETTS.

No. 6.

Sir A. Paget to the Marquis of Salisbury.—(Received January 3, 1889.)

(No. 399. Very Confidential.)

My Lord,

Vienna, December 31, 1888.

HAVING learnt from my Italian colleague a few days ago that he had been instructed to call Count Kálnoky's attention to some measure which the Tunisian Government was about to take under the direction of the French Government, and which would have for effect the dismissal of a number of Italians employed in different branches of the Administration unless they renounced Italian and adopted French nationality, I made some inquiries on this subject in an interview I had with Count Kálnoky to-day.

His Excellency informed me that in consequence of Count Nigra's representations, he had instructed Count Hoyos to ascertain the real facts of the case, and, should they turn out to be such as reported by the Italian Ambassador, to make such friendly observations to M. Goblet as might induce the French Government to pause before carrying into effect measures which might be calculated to bring about complications between the two countries.

It would appear, however, that there has been no occasion for the Austrian Ambassador to act upon the latter part of these instructions, for upon mentioning the subject to the Foreign Minister, he was informed by his Excellency that the French Government had no intention whatever of taking any such step as the one referred to.

M. Goblet told Count Hoyos that it was true one or two Italians with the same number of Frenchmen had recently been removed from their employments, in pursuance of certain administrative changes which were being effected, and, moreover, that the French Government would prefer having French instead of Italian employés in the Custom-house; but any such sweeping measure as the one alluded to had never been in contemplation.

Count Kálnoky told me that he had always doubted the truth of the facts as related to him by Count Nigra by order of his Government, and had said so to his Excellency, because it was hardly to be supposed that other Governments would not have heard of them, and he had received nothing on the subject from either Paris or Tunis.

This, said Count Kálnoky, was a further instance of the impetuous and precipitate manner in which Signor Crispi was in the habit of conducting his business. Without waiting to investigate the correctness of the reports which he received, without, which would have been the natural course to pursue, appealing in a friendly manner to the French Government for information on the subject, he immediately jumps to the conclusion that what he has heard is true, and therefore fires off a denunciation, with an earnest appeal to other Powers, in which mention is made of "extreme measures, &c.," and in which is invoked their support of the representation which the Government of Italy is making to that of France.

I have, &c.
(Signed) A. PAGET.

No. 7.

The Earl of Lytton to the Marquis of Salisbury.—(Received January 3, 3.15 P.M.)

(No. 1.)

(Telegraphic.)

Paris, January 3, 1889, 1.15 P.M.

M. GOBLET yesterday denied absolutely truth of report, that all foreign employés in service of the Bey of Tunis would be dismissed unless they naturalized themselves Frenchmen.

Private letter from Consul at Tunis received to-day states, however, that Maltese have all been ordered to leave Bey's service if they do not become French.

On further inquiry at Foreign Office, I am again positively assured report is false. It might be well to ask Consul what foundation he has for his statement.

No. 8.

The Marquis of Salisbury to Consul Ricketts.

(Telegraphic.)

Foreign Office, January 4, 1889, 5.20 P.M.

YOUR despatch No. 33.

The information conveyed very confidentially by the Vice-Consul at Monastir, that all employés in the Custom-house who refused to adopt French nationality would be dismissed, appears to be without foundation. Pray ascertain on what grounds he gave currency to so grave a statement.

No. 9.

Foreign Office to Consul Ricketts.

(No. 3. Ext.)

Sir,

Foreign Office, January 4, 1889.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your despatch No. 33 of the 28th ultimo.

I am to acquaint you that the information communicated to you very confidentially by Mr. Portelli, the British Vice-Consul at Monastir, translations of whose Reports accompany your despatch, to the effect that all Custom-house employés who declined to adopt French citizenship would be dismissed from their posts, appears to be without foundation. I am to instruct you to ascertain the grounds on which Mr. Portelli gave currency to so serious a statement.

The substance of the foregoing was this day sent to you by telegraph.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 10.

The Earl of Lytton to the Marquis of Salisbury.—(Received January 5.)

(No. 2. Confidential.)

My Lord,

Paris, January 2, 1889.

M. GOBLET, when I saw him this afternoon at the Ministry for Foreign Affairs, requested me to convey to your Lordship his sincere thanks for the assurance that Her Majesty's Government has not yet expressed any opinion on the subject of the demands which, as reported in my despatch No. 613 of the 20th ultimo, are stated by his Excellency to have been recently put forward by the Government of Italy in reference to the opening of new Italian schools at Tunis.

His Excellency then read to me the last despatches received by him from M. Massicault and M. Mariani on this subject; but, before doing so, he entered into a general statement of the previous history of the case.

In reply to the first protest made by the Italian Government against the issue of the Beylical Decree which has given rise to all these misunderstandings, he had explained to General Menabrea that the measure was intended only to meet certain general requirements; and that, in the application of it, every care would be taken to avoid interference with any rights or privileges possessed under the Capitulations by foreign schools established on Tunisian territory. With this explanation he coupled a proposal that arrangements for that purpose in reference to the Italian schools should be left by the two Governments to their respective Representatives at Tunis.

My Italian colleague, whose instructions did not authorize him to accept this proposal, went to Rome to discuss it with Signor Crispi; and, on his return to Paris, he received from M. Goblet a written declaration exempting altogether from the operation of the Decree the schools on behalf of which his Government had protested against it, as an attempted infraction of the Capitulations.

With that declaration, however, the Italian Government was not satisfied, and General Menabrea was instructed to demand a further declaration extending the exemption to all schools which the Government of Italy might at any future time see fit to establish upon Tunisian territory, without reference to the public or private character of them.

This additional declaration M. Goblet declined to give him. General Menabrea then said that his last word on this subject had been spoken, and his instructions were exhausted; that the matter was thus left on a very unsatisfactory footing, but that he trusted to the healing influences of time, and the excellent personal relations existing between Signor Berio and M. Massicault to prevent it from being productive of further complications between the two Governments.

To this M. Goblet replied that no such complications could possibly arise unless the Italian Government deliberately sought to bring them about, by opening new schools without previous notice, or on a footing to which the French Government would be compelled to take objection; but that even then, he was convinced there could be no occasion for any serious misunderstanding, if only the Italian Government would give to Signor Berio the latitude he had already given to M. Massicault.

His Excellency appears to have remained under the impression that the suggestion was approved by General Menabrea, from whom he has not since received any communication about Tunisian affairs; and, in connection with M. Goblet's statement of his impression on this point, I may mention that when, a few days ago, I questioned my Italian colleague about some of the Italian demands mentioned in the communication from M. Massicault, to which reference is made in my above-mentioned despatch No. 613 of the 20th ultimo, General Menabrea replied that they related to matters which were being treated directly between the Italian Consul and the French Resident at Tunis, with the exact nature of which he was not even acquainted.

The intercourse between the French and Italian Governments about Tunisian affairs was on this footing, when M. Massicault suddenly reported that the official in charge of the administration of the Government schools at Rome had arrived at Tunis with a body of official teachers, and that the Italian Consul was engaged in the purchase of land for the establishment of Italian State schools on Tunisian territory. M. Massicault having received from Signor Berio no communication in reference to these proceedings, inquired whether any such communication had been received by the French Government from the Italian Ambassador at Paris; and the answer being in the negative, he questioned Signor Berio about them. The Italian Consul replied that, much to his personal regret, he was forbidden by his instructions to make any communication to the French Resident on the

subject of these preparations, which he was further instructed to complete with the utmost possible expedition. He added, however, that, notwithstanding his instructions, he would take it on himself to give M. Massicault at least forty-eight hours private notice of the opening of the new schools.

On learning this, M. Goblet sought an interview with General Menabrea, from whom he requested an explanation of Signor Berio's statement. The General replied that he had no explanation to give; that all matters relating to Italian interests at Tunis were now in the hands of the Italian Consul there, and that his Government was not in communication with him on the subject of them.

M. Goblet then represented to my German and Austrian colleagues the peculiar position in which the French Government was placed by the refusal of the Italian Consul to communicate with the French Resident at Tunis, and of the Italian Ambassador to communicate with himself, about proceedings of which it could not remain a passive spectator.

His Excellency attributed to the effect of these representations the fact that, shortly afterwards, Signor Berio came to M. Massicault with the satisfactory announcement that he had just been authorized to discuss with him all arrangements relative to the status of the new schools which his Government proposed to open at Tunis, and that *carte blanche* had been given him to conclude these arrangements in concert with the Resident. M. Massicault at once drafted as a basis of discussion the five Articles to which reference is made in my above-mentioned despatch.

Signor Berio, who seemed personally disposed to adopt them with but slight modifications, was subsequently instructed to formulate the demands also referred to in that despatch; and in reply to those demands, which were alleged to have received the special approval and support of Her Majesty's Government, M. Massicault was authorized to submit to him revised proposals for further joint consideration.

Some time having elapsed without any reply to this last communication, M. Massicault asked Signor Berio when he might expect to receive one. Signor Berio replied that he had been blamed by his Government for misinterpreting and exceeding his instructions, and that he was again under strict orders not to hold any further communication with the French Resident on the subject of their recent Conferences.

M. Massicault's report of this conversation was read to me by M. Goblet, and it certainly conveys the impression that Signor Berio did not disguise from M. Massicault either his surprise and mortification at the nature of his latest instructions, or his belief that, had the matter been left in his hands, it would have been amicably settled at once.

On receipt of this report, M. Goblet again referred to General Menabrea for explanations, which the General again declared he was unable to give, as the matter was entirely out of his hands. M. Mariani was consequently instructed to request explanations from Signor Crispi. M. Goblet read me M. Mariani's report of the interview he had for this purpose with the Italian Prime Minister, who observed to him in the first place that the Government of Italy owes no account to the French Government of any arrangements it may see fit to make in reference to the requirements of its own subjects at Tunis, and that, consequently, there was, in his opinion, no occasion for communications between the two Governments on the subject of such arrangements. In the next place, Signor Crispi declared that M. Goblet had already been informed by General Menabrea that the Italian Government could not allow such arrangements to be discussed and settled by the local Agents of the two Governments, as if they were matters to which it attached no great importance, and, in confirmation of this statement, he read to M. Mariani part of a despatch from General Menabrea, reporting his rejection of a proposal by M. Goblet to leave the settlement of all such questions to the Italian Consul and French Resident at Tunis. M. Mariani, however, informed M. Goblet that the date of this despatch from General Menabrea was not mentioned by Signor Crispi. M. Mariani's report was read by M. Goblet to General Menabrea, who expressed great astonishment at the language attributed by it to Signor Crispi, and observed that the communication from himself, which had been quoted by the Italian Prime Minister, must be one he had written months ago, just after his return from Rome, and the conversation which then took place between himself and M. Goblet, in relation to circumstances wholly different from those which form the subject of the representations made, through M. Mariani, to the Government of Italy.

After giving me the account of the failure of his efforts to come to an understanding with the Italian Government as to the relative position of France and Italy at Tunis, M. Goblet observed that the condition in which it leaves the relations between the two countries appeared to him extremely critical, and the more so because the arrangements, which the Italian Government declines to discuss for the establishment by it of new

schools at Tunis, are in the meanwhile being actively continued by the Italian Consul under instructions from Rome.

In reply to my question whether he had made any further representation on this subject to my German colleague, his Excellency said that as Count Münster had only just returned to Paris, he had not yet had any opportunity of doing so; but that when he met the Count at the President's reception of the Diplomatic Body yesterday morning, he intimated to him his wish for an early interview on the subject of Tunisian affairs.

I asked M. Goblet what would be the action of his Government in the event, which he seemed to anticipate, of the new Italian schools being opened without further reference to the Government of France or the Beylical authorities.

His Excellency replied that, under a Tunisian Law from which the Capitulations provided no exemption, all persons concerned in opening unauthorized schools upon Tunisian territory would be liable to imprisonment; and that in the event supposed the French Government would be compelled, however reluctantly, to enforce the arrest of such persons by the Beylical authority, and the forcible suppression of the schools; but that if recourse to such measures, the necessity for which he had done his utmost to avert, should involve a complete rupture of the relations between France and Italy, it was not with the French Government that the responsibility could rest.

I have, &c.
(Signed) LYTTON.

No. 11.

The Earl of Lytton to the Marquis of Salisbury.—(Received January 5.)

(No. 4. Confidential.)

My Lord,

Paris, January 3, 1889.

IN the course of the conversation, which I have fully reported in my accompanying despatch No. 2, Confidential, of yesterday's date, M. Goblet mentioned as an illustration of many similar attempts to misrepresent the conduct of the French Government and excite animosity against it, a statement which had, he said, been recently circulated throughout Europe by Signor Crispi, that the Beylical Government, acting under French instigation, had compelled, or was about to compel, all foreign subjects in its employ to choose between the adoption of French nationality or dismissal from their employment.

His Excellency said that for this statement, which the Italian Government had deliberately circulated without any attempt to verify it by previous reference to the Government of France, there was not an atom of foundation beyond the fact that, in view of the new Tariff Regulations, it had been deemed expedient not to dismiss, but simply to transfer to other Departments of the Tunisian administration some Italians previously employed in the Custom-house.

I have reason to believe that the same language has been held by M. Goblet, in reply to certain inquiries addressed to him by my Austrian colleague, in consequence of representations made to the Austrian by the Italian Government on this subject.

Information reached me, however, this morning in a private letter from Mr. Consul Ricketts, that the Maltese subjects of Her Majesty in the service of the Tunisian Government had been threatened with dismissal unless they adopted French nationality.

This information was so positive, and, at the same time, so irreconcilable with the equally positive statement yesterday made to me by M. Goblet, that, on receipt of it, I sent at once to the French Foreign Office to ascertain from M. Charmes whether the correctness of it was still denied by the French Government.

M. Charmes declares most categorically that the report is absolutely without foundation. The first that was heard of it was from a communication on the subject made to M. Goblet some ten days ago by General Menabrea. On receiving this communication, the French Resident in Tunis, M. Massicault, was asked by telegraph for explanations, and he replied that he was entirely ignorant of any action that could have given rise to such a report. It was true that a copyist of Italian origin, in the employment of the Registrar of one of the Tribunals, had been dismissed; but he was an employé of the Registrar himself, and not in the service of the Bey. Two Frenchmen had been at the same time dismissed by the Registrar in question, who, from motives of economy, was reducing his staff. M. Charmes said that he could only suppose that this incident, and that to which I have referred above with regard to the transfer of Italian Customs officers, had been magnified into a general dismissal of all foreigners but Frenchmen in the service of the Bey.

In telegraphing to your Lordship the substance of this despatch, I have suggested

that Her Majesty's Consul in Tunis should be asked to report on what his information is founded, as it is difficult to reconcile his statement of the facts with the express denial given to them by the French Foreign Office.

I have, &c.
(Signed) LYTTON.

No. 12.

Memorandum communicated by Count Leyden to the Marquis of Salisbury, January 5, 1889.

(Confidential.)

London, January 3, 1889.

FRENCH newspapers mention that considerable works and preparations for fortifications on land and on sea are presently undertaken by their naval authorities at the port of Bizerta.

The Imperial Government hopes that Her Majesty's Government will consider these facts, and, as on previous occasions, make friendly representations at Paris against the erection of Bizerta into a fortified port.

The Imperial Government intends to direct the attention of the French Government in an amicable and friendly way upon the subject, and to point out that the fortifications of Bizerta could not be viewed with indifference by Italy. Count Münster will also explain that such action on the part of France would be equivalent to "narguer les Italiens," and contain a provocation leading eventually to complications which every European Power is seeking to avoid.

Count Münster will be instructed to confer with Her Majesty's Ambassador at Paris on the subject, as the Imperial Government presumes that the British Government, considering the importance of the Bizerta question both for Italy and England, will be found ready to instruct Lord Lytton to dissuade in a friendly spirit at Paris from further action.

The Tunis affairs having given rise to various incidents, beginning with that of Massawa, which was originated by France, the Imperial Government has noticed with pleasure that France has desisted from following up the question of the naturalization of Italian municipal employes residing in Tunis. Being further aware of the interest the British Government are taking in the maintenance of European peace, the Imperial Government trusts that they will lend their attention to the important character of the Bizerta question, and to the upholding of the *status quo* in the Mediterranean.

No. 13.

The Marquis of Salisbury to Sir W. K. Green.

(No. 1. Ext.)

Sir,

Foreign Office, January 5, 1889.

I HAVE received your despatch No. 144 of the 17th ultimo, inclosing translations of three notes received by you from Cid Emfadel Gharneet through Cid El Hadj Mohammed Torres, the Moorish Commissioner for Foreign Affairs at Tangier, in regard to the Cape Juby outrage.

I have to state to you that I concur in your separating, as you suggest, the question of compensation for the personal victims of the Cape Juby outrage from other questions. On these latter, you will be furnished with further instructions. You are authorized to accept 5,000*l.* for Mr. Morris' widow, and 1,000*l.* as the amount to be divided between Messrs. Randleson and Somers, the two wounded men.

The substance of the foregoing has this day been communicated to you by telegraph.

I am, &c.
(Signed) SALISBURY.

No. 14.

Consul Ricketts to the Marquis of Salisbury.—(Received January 6.)

(Telegraphic.)

Tunis, January 6, 1889.

YOUR Lordship's telegram received yesterday morning. I will reply by post Wednesday.

No. 15.

The Marquis of Salisbury to Sir A. Paget.

(No. 1.)

(Telegraphic.)

Foreign Office, January 6, 1889, 7 P.M.

THE affair of the Tunis schools threatens disturbance. The original fault was with the French; but they have made every concession, and now it appears to me almost evident that Crispi is deliberately provoking a rupture. I cannot imagine that such an event would be welcome to the Austrian Government. Ask Minister for Foreign Affairs if they have any information to the above effect, and, if so, whether they are taking any action in consequence.

No. 16.

The Marquis of Salisbury to Sir A. Paget.

(No. 1. Ext. 1.)

Sir,

Foreign Office, January 6, 1889.

I HAVE to state to your Excellency that the question of schools in Tunis, with which you are acquainted from the printed sections, threatens to create difficulties. Whilst the fault originally lay with the French they have since made every concession, and it would now appear almost certainly as if Signor Crispi were deliberately forcing on a rupture. It cannot be conceived that such a contingency would be welcome to the Austro-Hungarian Government.

I have, therefore, to request your Excellency to inquire of the Minister for Foreign Affairs whether the Austro-Hungarian Government are in possession of any information to the above effect, and, if so, whether they are taking any action in consequence.

I have this day telegraphed the substance of the foregoing to your Excellency.

I am, &c.
(Signed) SALISBURY.

No. 17.

Mr. Herbert to the Marquis of Salisbury.—(Received January 7, 1889.)

(No. 377.)

My Lord,

Washington, December 27, 1888.

WITH reference to your Lordship's No. 181, Secret, of the 21st July,* transmitting Sir K. Green's No. 87 of the 1st July,* with regard to the proceedings of the United States' Consul in Morocco, I have the honour to inclose a cutting from the "New York World," whence it appears that a Moorish merchant has lately arrived in this country with the intention of complaining to the authorities of the State Department of the conduct of Mr. Reed Lewis and of his subordinates.

I have, &c.
(Signed) MICHAEL H. HERBERT.

Inclosure in No. 17.

Extract from the "New York World" of December 22, 1888.

TIRED OF PAYING BAKSHISH.—A MERCHANT COMES FROM MOROCCO TO COMPLAIN OF CONSUL LEWIS.—Among the passengers on the steamer "Australia," which arrived here yesterday, was Moses Benasuli, a Moorish merchant, who trades with the Arabs of Northern Morocco, with head-quarters in Fez. Benasuli brought a boxful of papers with him, all covered with big red seals and written in Arabic. They are the affidavits of a score of the leading merchants of Fez and Tangier, and they tell of the scandalous conduct of two subordinates in the office of the United States' Consul at Tangier, William Reed Lewis. Benasuli himself came all the way from Fez to lay these papers before the State Department, and to have somebody punished.

He cannot talk English, but he said, through an interpreter, that Consul Lewis has in

* Not printed.

his employ two men who levy blackmail on all the foreign merchants doing business in Morocco by selling to them the official protection of the United States' Government. The names of these men are Mohammed Fakri and Solomon Azougri. They first demanded of Benasuli, he says, 435 dollars, which he gave them, and after he thus bought the protection of this country they made another assessment of 185 dollars. He paid that also. Fakry then, according to his story, came to him and told him he was making a fortune, and must give them 5,000 dollars. He refused to pay this, and was thrown into prison in Fez on a complaint made by Fakri.

Benasuli describes his life in prison in Fez as being a most horrible one. He remained for fifty days in a dungeon, "twenty-three steps under ground," and no one was allowed to see him. The place was filthy beyond description, and no light was allowed him. Benasuli's friends in Tangier made a great outcry, and he was finally liberated by order of the Consul, who, the merchant claims, was forced into it.

Benasuli says he can prove that Meyer Cohen, Consular Agent at Magagon, paid 3,500 dollars for his appointment to one of the subordinates in the Consular Office.

Among the affidavits of those who say they paid for American protection are S. Azariff, who claims to have given 400 dollars; M. Bensuzon, 300 dollars; Joseph Belzarah, 250 dollars, and some twenty others, ranging between 300 and 500 dollars. The testimony is very direct, and always tells why the money was paid.

Benasuli said that these facts had been laid before the Consul on innumerable occasions, and he had never attempted any investigation. When asked how much the blackmail would amount to, he said he could count up at least 20,000 dollars, which, to his own knowledge, had been paid during the last year. He said also that it was notorious that the smaller Consular offices were sold out, and that Alfred Redman, for forty years Agent at Magagon, was removed to make room for Cohen, who paid for the privilege.

Benasuli will engage Lawyer M. S. Isaacs to press his case. He appears determined to push the matter, and it is probable that he is aided financially by the other Morocco merchants. He brought with him several thousand dollars in bills of exchange and letters of credit, and says he will stay in this country till he gets justice. He will remain in New York only a short time, and will then go straight to Washington. He has a number of friends here among the merchants with whom he has had dealings. He came over in the steamer because, he says, the captain of the "Australia" told him the cabin was full; and although he offered to pay double rates, he could not get better accommodations. He brought his own food with him, and did not associate with the immigrants.

Consul Lewis, in whose department these irregularities are alleged to have occurred, was appointed two years ago, and came prominently before the public several months ago in connection with the trouble with the Moorish Government over the alleged abuse of United States' protégés, and an American man-of-war was sent to Tangier, but the matter was amicably adjusted. He was formerly a ticket agent at Devon, Pa. The Moorish papers and the English despatches from Morocco are full of the details of the scandal, which seems to have attracted widespread attention in Europe.

No. 18.

The Earl of Lytton to the Marquis of Salisbury.—(Received January 7.)

(No. 7.)

My Lord,

Paris, January 6, 1889.

WITH reference to your Lordship's despatch No. 12 of yesterday, I have the honour to transmit herewith to your Lordship a paragraph from the "Temps" newspaper, in which it is stated that the French Resident at Tunis had informed the Representatives of Spain, Russia, and Germany that the rumour of an intention on the part of the Tunisian Government to dismiss from its service all the officials who did not adopt French nationality was a pure invention, and arose apparently from the fact that the Government had decided to reserve for Frenchmen the posts of "Receveur des Douanes" in the ports of the Regency from which Tunisian produce would be exported with certificates of origin if the proposed Franco-Tunisian Customs Convention is adopted by the French Parliament.

I have, &c.

(Signed) LYTTON.

Inclosure in No. 18.

Extract from "Le Temps" of January 6, 1889.

TUNISIE.—Hier, à Tunis, à la réception hebdomadaire du Corps Consulaire, le Résident-Général a reçu le Chargé d'Affaires d'Espagne et les Consuls de Russie et d'Allemagne.

M. Massicault leur a confirmé ce qu'il avait déjà eu l'occasion de dire aux Consuls d'Autriche-Hongrie et d'Italie au sujet des intentions prêtées au Gouvernement Tunisien d'exclure de ces services tous les agents qui ne se feraient pas nationaliser Français.

Le Résident-Général a ajouté que le bruit qu'une pareille mesure aurait été prise est de pure invention, et semblerait provenir de ce fait que le Gouvernement a décidé de réserver à des agents Français les emplois de Receveur des Douanes dans les ports de la Régence, d'où les produits Tunisiens seraient expédiés avec des certificats d'origine, si le projet de Convention Douanière Franco-Tunisienne soumis au Parlement Français est adopté.

No. 19.

Sir A. Paget to the Marquis of Salisbury.—(Received January 7, 5.15 P.M.)

(No. 1.)

(Telegraphic.)

Vienna, January 7, 1889, 4.20 P.M.

YOUR telegram No. 1.

Count Kálnoky has no confirmation of Tunis schools affair becoming threatening, and believes that it remains *in statu quo*.

He has always given counsels of moderation in Paris and Rome, and advised both Governments to avoid raising trifling and irritating questions which might lead to serious consequences.

No. 20.

Consul Ricketts to the Marquis of Salisbury.—(Received January 8.)

(No. 1.)

My Lord,

Tunis, January 2, 1889.

I HAVE been informed by my Italian colleague that he has received instructions from his Government to protest against any Italian subjects being dismissed without cause from the Bey's service, his protest being based on the Vth Article of 1875, which states that all subjects shall be treated on the same footing.

Should your Lordship consider this section of the Treaty to be applicable to the case transmitted by me on the 28th ultimo, and think it advisable, I will forward a similar protest on behalf of the Maltese at Monastir, against the authorities of that place, to the Resident, or on behalf of any other of our subjects who may have cause to complain of such treatment.

I have, &c.

(Signed) G. T. RICKETTS.

P.S.—A Decree on this subject was written out, I am told, and ready for publication, but was withdrawn on a telegram having been received from Paris.

G. T. R.

No. 21.

Sir Clare Ford to the Marquis of Salisbury.—(Received January 8.)

(No. 1.)

My Lord,

Madrid, January 5, 1889.

WITH reference to your Lordship's despatch No. 169 of the 26th ultimo relative to the complaint of the Spanish Consul at Tangier against the editor of "La Africana," I have the honour to inform your Lordship that, at an interview I lately held with the Marquis de la Vega de Armijo, Spanish Minister of State, I explained to his Excellency the state of the case, and assured him that Her Majesty's Government had no power to

deal with the offence complained of otherwise than in the ordinary course of law, i.e., by proceeding for libel in the British Consular Court, and that, as the Spanish Consul declines to avail himself of that remedy, or, indeed, to appear in Court, Her Majesty's Government are unable to afford him any redress. At the same time, I said, Her Majesty's Government are ready to consider any proposals for regulating the foreign press in Morocco, and are already in communication with Sir Kirby Green on the matter.

The Marquis listened to me with marked attention, and did not pursue the subject further, and merely remarked that he considered it would be expedient to await the result of your Lordship's communications with Her Majesty's Representative at Tangier.

I have, &c.
(Signed) FRANCIS CLARE FORD.

No. 22.

Sir Clare Ford to the Marquis of Salisbury.—(Received January 8.)

(No. 2.)

My Lord,

Madrid, January 5, 1889.

I HAVE the honour to inform your Lordship that at an interview I lately held with the Marquis de la Vega de Armijo, I mentioned to his Excellency my having read in a Spanish newspaper an extract giving a short account of an incident which was reported to have taken place at a recent meeting of a Council of Ministers, in which it had been stated that his Excellency had spoken of the increasing influence of foreigners in Morocco, and had said that Italy was assuming a very active part in that country.

The Marquis replied that the question of Moorish affairs had been raised at a lately held Cabinet Council, owing to the Minister of War having incidentally read a letter which he had received from an officer on the present state of Morocco.

His Excellency added that he had, not long ago, spoken to the Italian Ambassador here on the subject of Morocco, and had received from him the most friendly and satisfactory assurances as to the object the Italian Government had in view in sending an Italian Military Commission to Fez, which was not intended in any way to diminish Spanish influence in the Empire.

The Marquis de la Vega then went on to say that his policy in Morocco had not changed, and that it might be summed up in the words—maintenance of the *status quo*.

He wished it, however, to be well understood that, were it at any time to be found expedient that a Conference on Moorish affairs should be convened, he considered that Madrid was the proper place at which it should be held, and nowhere else. Since he had entered office as Minister of State, he had not considered it necessary to revive the question of the Conference on Moorish affairs which had been raised last year, but he did not consider that, for that reason, the idea had been definitively abandoned by the Spanish Government. Indeed, it was a question which might be looked upon as lying dormant for the time being, and circumstances might arise which would make it desirable to reconsider the matter, not but what he, for one, was decidedly of the opinion that a most essential requisite to a successful result of a Conference was a previous understanding between the Representatives of the Powers who were to meet at it, which he certainly did not believe had been arrived at when his predecessor in office had proposed that one should meet in Madrid.

Rumours, said his Excellency, had been current of late that a Conference on Moorish affairs might possibly be proposed to be held in Rome; he would object to that, on the ground that Spain was exceptionally situated as regards the Moorish question, both on account of her geographical position to that Empire and to the fact of her holding territorial possessions in it. When, therefore, the question is mooted of a Conference being held affecting affairs in Morocco, he considered that Madrid was the proper spot at which it should take place.

I have, &c.
(Signed) FRANCIS CLARE FORD.

No. 23.

The Marquis of Salisbury to M. Catalani.

M. le Chargé d'Affaires,

Foreign Office, January 8, 1889.

I HAVE the honour to acknowledge the receipt of your communication of the 16th ultimo in regard to real property in Tunis.

I have to acquaint you, in reply, that, in view of the uncertainty of the facts, Her Majesty's Consul in Tunis has been instructed to report fully on the case.

I have, &c.
(Signed) SALISBURY.

No. 24.

M. Catalani to the Marquis of Salisbury.—(Received January 9.)

(Confidential.)

My Lord,

20, Grosvenor Square, January 7, 1889.

THE French Ambassador at Rome has communicated to the Italian Government a Decree of the Bey of Tunis concerning the competence of the French Tribunals to pronounce judgment on disputed matters of administration pending between the Tunisian Government and foreign subjects in Tunis ("Contentieux Administratif").

This point, as far as Italy is concerned, was expressly mentioned in Article VI of the Protocol of the 25th January, 1884; but, according to the aforesaid Protocol, it should have been dealt with in accordance with the Italian Law sanctioned on the 20th March, 1865, and should have been applied with the consent of Italy.

It should not, moreover, have deviated from the above-mentioned Law, in as far as that Law concerns the right of applying to the Court of Cassation.

The Italian Government, therefore, have replied to the French Ambassador that the Decree in question could not have any effect on Italian subjects in Tunis.

In pursuance of the instructions I have received from my Government, I have the honour to beg your Lordship to let me know whether the British Government have received a similar communication from France, and what reply they have made or intend making thereto.

Whilst thanking your Lordship for the answer that you may be pleased to give me, I have, &c.

(Signed) T. CATALANI.

No. 25.

Sir A. Paget to the Marquis of Salisbury.—(Received January 10.)

(No. 5.)

My Lord,

Vienna, January 7, 1889.

I HAD the honour to receive last evening your Lordship's telegram No. 1 of yesterday's date, and I called this morning on Count Kálnoky in order to ascertain, in compliance with your Lordship's instructions, whether his Excellency had received any information tending to confirm your Lordship's impression, that the affair of the schools in Tunis was becoming threatening of disturbance.

I acquainted Count Kálnoky with your Lordship's opinion that the original fault was with the French, but that they had made every concession, and that it now appeared to your Lordship almost evident that Signor Crispi was deliberately provoking a rupture.

Count Kálnoky stated, in reply, that no information had reached him which supported or confirmed that which had been received by your Lordship; that, on the contrary, according to his latest intelligence from Rome and Paris, he believed that the question was at present *in statu quo*, namely, that each Government had established its own position in the conflict; the French Government, although waiving the right of applying the Decree concerning inspection to existing schools, reserved, nevertheless, that of giving it effect in respect of any new schools which might be established; while the Italian Government still maintain its ground of not admitting the right of inspection either of the existing schools, or of those which might be established in the future, but had abandoned the idea, which had apparently at one time been entertained, of establishing any new schools at present.

When this project, Count Kálnoky continued, had first been mooted, he had strongly remonstrated with the Italian Government (whose rights derived from its special arrangements with France at the time when Tunis was taken under French protection he did not contest) against the impolicy of reopening a question which had just been set at rest. In fact, he said, he had always given counsels of moderation both in Paris and Rome, and advised both Governments to avoid raising trifling and irritating questions

which might possibly lead to serious consequences. His Excellency stated that the German Government had spoken in the same sense, and to this, as well as to the same advice coming probably from your Lordship, he attributed the assurance given by the Italian Government, that the idea of establishing new schools had for the present been abandoned.

The term "for the present," his Excellency added, was, of course, a very elastic expression, and he did not know how long Signor Crispi meant to abide by it. There was, unfortunately, a great deal of irritation and bad feeling on both sides, but he repeated that, according to his latest advices from Paris and Rome, there was nothing to make him think that the question was now about to be reopened.

I have, &c.
(Signed) A. PAGET.

No. 26.

Memorandum on the Lake and Town of Bizerta (or Benzert).—(Communicated by Admiralty, January 10.)

Town.—Bizerta is only 36 miles from Tunis by land. The situation of the town is extremely picturesque, being built on each side of the canal which connects the lake with the sea, and on an island in the middle of it, principally occupied by Europeans, and joined to the mainland on either side by substantial bridges.

Anchorage.—Vessels anchor in Bizerta Road, in 8 or 9 fathoms, over a bottom of sand and weeds, 6 cables north-east of the town, sheltered from all westerly winds, but exposed to those from the north and east. The bottom is indifferent holding ground.

Lake Tinja.*—The important feature of Bizerta is Lake Tinja, which might be made one of the finest harbours, and would then be the most important strategical position in the Mediterranean.

Its length from east to west is about 8 miles, and its width $5\frac{1}{2}$; but the shallow portion which passes through the town is less than 1 mile in length, with a depth of from 2 to 10 feet. Beyond, it widens out, and has a depth equal to that of the lake, from 5 to 7 fathoms.

A comparatively slight expenditure would be required to convert this lake into a perfectly land-locked harbour, containing 50 square miles of anchorage for the largest vessels afloat.

Fortifications.—The town (which is $1\frac{1}{2}$ miles in circumference) is surrounded by a wall, and defended by a citadel and several batteries. The wall is of polygonal trace, about 33 feet in height, and flanked by towers or bastions placed at the angles.

The principal of these bastions is called Bordj-Sidi-el-Hadid, and defends the north side of the town, which is also protected by the "Kasbah," or citadel, built on the north of the canal which connects the Mediterranean with the lake.

Opposite the "Kasbah" is a small fort named Bordj-el-Zen-Zela, from whence started formerly the chain which closed the entrance to the port.

The advanced work, Sidi-Salem, is situated on the north of the town.

There are four coast batteries.

These defences are, for the most part, in ruins, according to a Report of April 1887; new works are, however, projected.

Inauguration of Works for forming a Naval Station and Harbour of Refuge.—In 1886, Admiral Aube was said to be very anxious that a Naval Station, with a basin, coal dépôt, and other facilities for refitting a squadron, should be established on the Algerian coast; if money is granted, it is hoped that Bizerta will supply these wants. In order to obtain a magnificent harbour, with a depth of from 10 to 40 fathoms, it would only be necessary to cut through a narrow strip of sand, some 20 inches higher than the sea, at a point not exceeding 250 yards in width; the cost would be about 800,000*l.* Bizerta is one of the proposed harbours of refuge for torpedo boats.

The preliminary works for forming a port at Bizerta have been commenced; the estimated cost is 120,000*l.*

During the month of October 1886, French engineers were surveying the lands belonging to native proprietors in the vicinity of Bizerta Lake. They were also engaged in tracing the canal which is to connect the lake with the sea.

* Known also as Lake Benzert.

Captain St. Clair, R.N., in April 1887, reported that it was hoped that the entrance channel would soon be deepened to 15 feet. The sides were to be lined with concrete blocks. No torpedo defence exists at present.

In the beginning of 1888, the channel from the sea to the deep-water lake had attained the depth of 10 feet.

Progress of Works, 1887.—Consul Sandwith in a Report to the Foreign Office of the 27th June, 1887, states: "Sixty men of the French navy, under the command of a captain of a torpedo vessel stationed there, have been engaged in deepening the present channel so as to allow small craft to enter the lake. Two dredges were employed for the purpose, and the works were carried on under the direction of a staff of engineers. The bridge on seven arches at the lake end of the channel was to have the three centre buttresses removed, so as to allow of a passage of 72 feet wide, to be covered by a sliding wooden bridge. The old mole had been carried out 130 yards further."

At the time of this Report the work had suddenly been suspended, but in a following Report of the 19th November, 1887, it was stated that the work had been resumed.

The Department of "Ponts et Chaussées" were engaged in making borings along the line where the new and broad channel is to communicate with the sea.

Garrison.—A "batterie de forteresse" was quartered here. The number of troops has recently been reduced to one company of artillery.

The canal leading from Lake Bizerta to the sea had, in September 1888, attained a depth of 3 to 4 metres. The breakwater, begun some time previously, was, at that date, still in a bad state.

One torpedo boat of the French navy arrived on the 26th September, 1888. Another, with a French crew, built for the Roumanian Government, put in to coal.

On the 29th October, 1888, the French transport "Isère" arrived at Bizerta and discharged 200 tons of coal, one barge full of iron, some torpedoes, and machinery for their manufacture.

At Toulon, orders have been received to prepare a stock of coal "d'Anzin" for the torpedo boats at Bizerta, and a floating dock for the latter is to be sent out shortly. This dock is being finished in the shops of Trois-Lille.

January 10, 1889.

No. 27.

(A.)

Memorandum by Sir E. Hertslet on Rumoured Intention of the French to form a Port at Bizerta.

IN a note which Lord Lyons addressed to the French Minister for Foreign Affairs on the 14th May, 1881, on the affairs of Tunis, the following passage occurs:—

"Your Excellency had a short time before stated to me that the French Government had certainly no intention of undertaking the work of forming a port at Bizerta, although private French enterprise might possibly at some future date be devoted to making improvements there for the purpose of a commercial harbour."

On the 16th of the same month that Minister returned a reply to that note, in which, with reference to Bizerta, he said:—

"Your Excellency remembers that on several occasions in my conversations with you I repudiated the idea of the conquest or annexation to France of any part of Tunisian territory. I have no difficulty in repeating here what I have already told you. I can reiterate to you that our arrangements with the Bey include no stipulation which is not in conformity with the assurances which I have given you. I reply, therefore, explicitly, and in a manner which I cannot doubt will appear conclusive to you, to your observations respecting the port of Bizerta."

Lord Lyons to M. Barthélemy de St. Hilaire, May 14, 1881.
"Tunis No. 6 (1881)," p. 41.
Lord Lyons, May 5, 1881.
"Tunis No. 2 (1881)," p. 78.
M. Barthélemy de St. Hilaire, May 16, 1881.
"Tunis No. 2 (1881)," p. 46.

"We have no more desire to annex Bizerta than any other part of Tunis. It is doubtless possible, as I spontaneously pointed out to you, that we may be inclined to favour the commercial development of this port, and to encourage the attempts which may be made in the very interest of the Regency to ameliorate its material conditions.

"But whatever may be the enterprises which private Companies may attempt at Bizerta, it by no means enters into our calculations to expend *at present* the enormous sums and to begin the gigantic works necessary to transform this position into a military port that could serve as a base of naval operations.

"There, as in other parts of the Regency, the action of France will only be exerted with a view to such *pacific improvements as will benefit other nations as well as ourselves*. The only conquest which we meditate is that of civilization in a still too backward country, and I am confident that England, in a work advantageous to all interests, will afford us the support of the sincere sympathies which we consider ourselves particularly entitled to expect from her, because we experience the same feelings towards her."

On the 20th of that month Lord Granville addressed a long note to the French Ambassador in London on the subject of Tunis, and, with reference to the port of Bizerta, he said:—

"Her Majesty's Government observe, M. l'Ambassadeur, that M. Barthélemy St. Hilaire repudiates all idea of annexation by France of the port of Bizerta, or any port whatever of Tunis; and although he indicates the possibility of encouraging the improvement of the port by private enterprise, he declares that it in no way enters into the projects of the French Government to expend, *at the present time*, the enormous sums and to commence the immense works necessary for making this position a military port. I do not think it necessary, M. l'Ambassadeur, to enter into the question of the possible value of Bizerta as a commercial port further than to observe that if the channel from the sea to the lake is deepened, so as to give access for large vessels, British ships will have, under the Treaty of 1875, a right to use it without being subjected to any higher dues than French or Tunisian vessels."

It will not have escaped attention that the French Minister, in his note to Lord Lyons of the 16th May, 1881, only went so far as to assure his Excellency that it did not enter into the calculations of the French Government to expend "*at present*" the enormous sums and to begin the gigantic works necessary to transform this position (Bizerta) into a military port that could serve as a base of naval operations.

In November 1883 a telegram was received from Mr. Reade, announcing that a Decree of the Bey of Tunis had been issued, declaring the City of Tunis and sixteen other places, including Bizerta, to be military strongholds.

This telegram was sent to Lord Lyons for observations, and, in his reply, he said, the measure had no doubt been taken with a view to assimilating the system in Tunis to that in force in France; but he pointed out that Mr. Reade's telegram did not say whether the Bey's Decree, or any other legal enactments in the Regency, prescribed special Regulations applicable to such places in France; but no remonstrance on the subject was addressed to the French Government.

In November 1886, Consul Sandwith called attention to the fact that French engineers were engaged in tracing a passage for a canal between the Lake of Bizerta and the sea; and a copy of his despatch, reporting the fact, was sent to Lord Lyons, but without any observations.

Count Corti was also informed of what the French were doing there, and in a note which Lord Iddesleigh addressed to him on the 27th November, 1886, his Excellency's attention was called to the note addressed to Her Majesty's Ambassador at Paris by M. Barthélemy de St. Hilaire on the 16th May, 1881, in which, it was pointed out, the latter disclaimed any intention on the part of the French Government to convert Bizerta into a military port.

On the 10th December, 1886, the Admiralty inquired whether any understanding existed between this country and France respecting Bizerta beyond that implied in Lord Granville's official despatches in 1881, when they were told that there was nothing further.

It may not be considered out of place to mention that the Treaty between France and Tunis of the 12th May, 1881, contains this stipulation:—

"ARTICLE II.

"With a view of facilitating the accomplishment by the French Republic of the measures which it will have to take in order to attain the end proposed by the High

Lord Granville to M. Challemlacour, May 20, 1881.
"Tunis No. 6, (1881)," p. 55.

Admiralty, December 10, 1886.
To Admiralty, December 29, 1886.
"Tunis No. 2 (1881)."

Contracting Parties, His Highness the Bey of Tunis consents that the French military authorities should occupy the points which they may deem necessary to insure the re-establishment of order and the security of the frontiers and of the coast."

But the Article goes on to say:—

"This occupation shall cease when the French and Tunisian military authorities shall have recognized by common consent that the Local Administration is capable of guaranteeing the maintenance of order."

(Signed) E. HERTSLET.

Foreign Office, January 10, 1889.

No. 28.

(B.)

Memorandum by Sir E. Hertslet respecting the Limitation of the Number of British and Foreign Ships of War in the Mediterranean.

THERE exists no Treaty between this country and any foreign Power limiting the number of ships of war to be admitted into the Mediterranean Sea, as will be seen from the accompanying Memorandum. (See Memorandum of the 6th June, 1877.)

When war broke out between Spain and Morocco in October 1859, the Spanish Government was officially informed that Her Majesty's Government earnestly desired that there might be no change of possession on the Moorish coast of the Straits; that the importance which they attached to that object could not be overrated; and that it would be impossible for them, or indeed for any other maritime Power, to see with indifference the permanent occupation by Spain of such a position on the coast as would enable her to impede the passage of the Straits to ships frequenting the Mediterranean for commercial or other purposes.

But in the Treaty of Peace between Spain and Morocco, which was signed on the 26th April, 1860, Morocco ceded Ceuta, on the Moorish coast, to Spain.

(Signed) E. HERTSLET.

Foreign Office, January 10, 1889.

Annex.

Memorandum respecting Non-existence of any Treaty limiting British Naval Force in Mediterranean.

There exists no Treaty between this and any other country which limits the number or size of British vessels of war to be admitted within the Straits of Gibraltar.

In December 1861 there were eleven British line-of-battle ships in the Mediterranean, carrying 999 guns and 9,700 men, whilst the complement of Her Majesty's ships of all sizes then employed in the Mediterranean exceeded 14,000 men. At the suggestion of the Admiralty, Lord Russell consented to the number of the line-of-battle ships being reduced to eight, his Lordship considering that that number would be quite sufficient for the Mediterranean at that time: the words used were, "*at present*."

In August 1862 attention was drawn to the movements of a French squadron in the Mediterranean, and Lord Russell asked the Admiralty how many British ships of the line were then stationed in those waters, and on their replying that the number was seven, his Lordship suggested that it should be increased to eight, in accordance with the arrangement agreed upon between the Admiralty and the Foreign Office in December 1861 (no reference, it will be observed, was made to any Treaty bearing upon the subject); but it was ultimately decided to keep six ships of the line and three large frigates on the station.

In 1865 attention was again drawn to the fact that the French had six iron-plated ships in the Mediterranean, and the Admiralty was again asked how many English ships were then stationed in those waters, when they replied that, "*My Lords did not intend to maintain more than three armour-plated ships in the Mediterranean, as the British Squadron of Evolution would probably be retained in the English Channel.*"

Again, during the dispute in 1867 between the British and Spanish Governments respecting the ship "*Queen Victoria*," two iron-clads were sent to Gibraltar to await

orders, and Sir J. Crampton was instructed, by telegraph (April 8, 1867), as follows: "You have no explanation to give or to suggest to the Spanish Government on the subject. The port is a British possession, and within the Mediterranean command."

The only difficulty, therefore, which would appear to be likely to arise from Sir F. Seymour going with the Channel Squadron into the Mediterranean would be the possibility of his infringing the rights of the Admiral on the "Mediterranean command," but this is a matter which solely concerns the Admiralty.

Foreign Office, June 6, 1877.

(Signed) E. HERTSLET.

No. 29.

The Marquis of Salisbury to the Earl of Lytton.

(No. 17.)

My Lord,

Foreign Office, January 10, 1889.

I TRANSMIT to your Excellency the accompanying copy of a despatch from Her Majesty's Consul in Tunis,* inclosing copy of a Decree of the 27th November, 1888, published by the order of His Highness the Bey of Tunis, giving powers to the French Tribunals to hear and decide on suits brought by private persons against the Administration.

I have to make the following observations upon the matter.

Her Majesty's Government have a right to press claims of British subjects against the Bey diplomatically. But they have agreed that since the establishment of the French Protectorate the French Resident is to be the channel of communication between foreign Governments and the Bey.

The effect of the present Decree is to compel all claimants to sue the Beylical Government before the French Tribunals under certain restrictions and conditions.

This new measure is quite unconnected with the arrangement under which British Consular jurisdiction over British subjects was transferred to the French Tribunals, and in view of existing Treaty rights, it is a grave question whether the Decree can be held obligatory on foreign Powers without their assent. At the same time, it would be an advantage to be able to refer the claims of British subjects against the Tunisian Government to the French Tribunals, provided that the procedure were substantially the same as that followed in France with respect to suits against the Government, and that the right of appeal were given to the fullest extent allowed in other cases.

In conclusion, I have to request your Excellency to consult M. Clunet as to whether the Decree as it stands falls short of the remedies which exist by law in France in such cases, and whether the right of appeal is not unduly restricted.

I am, &c.
(Signed) SALISBURY.

No. 30.

The Marquis of Salisbury to Sir Clare Ford.

(No. 4.)

Sir,

Foreign Office, January 10, 1889.

I HAVE received your Excellency's despatch No. 1 of the 5th instant, reporting the substance of a conversation which you had had with the Spanish Minister for Foreign Affairs upon the subject of the complaint of the Spanish Consul at Tangier against the editor of "La Africana," and I have to convey to your Excellency my approval of the language which you used on the occasion.

I am, &c.
(Signed) SALISBURY.

No. 31.

Sir A. Paget to the Marquis of Salisbury.—(Received January 11, 7 P.M.)

(No. 2.)

(Telegraphic.)

Vienna, January 11, 1889, 5.55 P.M.

IN consequence of telegram of Lord Lytton, I have inquired of Minister for Foreign Affairs, and am informed that no report has been received from Austrian

* Consul Ricketts, No. 27, December 1, 1888.

Ambassador at Paris relative to complaint of French Government respecting opening of new Italian schools in Tunis, and, as far as is known here, question remains as reported in my despatch No. 5 of the 7th instant.

(Repeated to Paris.)

No. 32.

The Marquis of Salisbury to the Earl of Lytton.

(No. 19.)

My Lord,

Foreign Office, January 11, 1889.

I ASKED the French Ambassador to-day whether there was any truth in the story that the French Government had determined to construct a fortified arsenal at Bizerta, observing that such a proceeding was one to which we should have very serious objection.

His Excellency replied that he knew of nothing of the kind, and that such a thing could not be done without a vote being previously taken in Parliament, and therefore he discredited the story altogether. He said that he had seen in the papers that there was a project for cleaning the canal which joined the outer harbour with the inner lake, and it was possible that some measure of this character was in contemplation, but that, as far as he knew, no idea of fortification had been entertained.

I am, &c.
(Signed) SALISBURY.

No. 33.

The Marquis of Salisbury to the Earl of Lytton.

(No. 20.)

My Lord,

Foreign Office, January 11, 1889.

THE French Ambassador called my attention to-day to the report which had been made to several of the Courts of Europe, to the effect that the Tunisian Government had resolved to dismiss all foreigners from its service unless they would adopt French nationality. This, his Excellency said, was a pure invention, without the slightest foundation of truth. But he was directed to express the surprise of M. Goblet, that Consul Ricketts should have conveyed the information as an undoubted fact to your Excellency in a letter which you read to M. Goblet.

I replied that the transmission of inaccurate Reports by our Agents was a matter of much more serious concern to us than it could be to the French Government. In this case, Consul Ricketts appeared to have relied on the Report of the Vice-Consul at Monastir, and several days ago I had directed that that officer should be asked for an explanation of the circumstances under which he had been induced to make so unfounded a Report to Her Majesty's Government.

I am, &c.
(Signed) SALISBURY.

No. 34.

Sir W. K. Green to the Marquis of Salisbury.—(Received January 14.)

(No. 3. Confidential.)

My Lord,

Tangier, January 2, 1889.

I HAVE the honour to report, for your Lordship's information, that M. Anspach, the Belgian Minister at the Court of Madrid, having been named Envoy Extraordinary and Minister Plenipotentiary in Morocco, has arrived here to replace the Minister Resident, Baron Whettnall, who has been promoted as Belgian Envoy and Minister Plenipotentiary to the Vatican.

I learn from a person who is a Resident at a European capital, and whose information was obtained from the Belgian Representative at its Court that, though M. Anspach's health gives colour to the explanation that it has obliged him to prefer the less important post at Tangier over that of Madrid, still he has also been sent to this country, as the King of the Belgians considers that Baron Whettnall was not

sufficiently imbued with the belief that Morocco, in certain ways, may be connected beneficially with His Majesty's enterprises in the Congo regions.

A reference to my despatch No. 125 of the 24th October last will show your Lordship that the Congo Administration has been considering not only the value of the Cape Juby establishment, but, furthermore, the offer of the sale of the property at Kankoush, on the Moorish shore of the Straits of Gibraltar.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 35.

Sir W. K. Green to the Marquis of Salisbury.—(Received January 14.)

(No. 4.)

My Lord,

Tangier, January 3, 1889.

WITH reference to the rumoured advance of French troops on Moorish territory in the direction of the oasis of Figuig mentioned to your Lordship in my despatch No. 146 of the 22nd ultimo, I have the honour to report that Signor Cantagalli called on me this morning and read to me a letter which he had received on the subject from Signor Gentile, the First Interpreter of the Italian Legation, who is now at Fez.

Signor Gentile, in reply to inquiries addressed to him by his chief, states in his letter that he had been informed by high officials at the Shereefian Court that the deputation now there is not composed of Figuig Notables, but of Headmen from the half of the Amour tribe, which the Moorish Government considers owes allegiance to the Sultan through inhabiting Maroquine territory.

This deputation was soliciting Mulaï Hassan's aid to obtain redress from the French Government for losses inflicted on its section of the tribe, which has been on Algerine territory for a short time in search of pasturage, through the arbitrary action of Spahis. The Amours in question had not only been pursued across the Maroquine frontier, but had, furthermore, been forced to return to Algerine territory, and to pay taxes to the French Administration.

The late M. Féraud had, shortly before his death (about two months ago), addressed a note to the Moorish Government, warning it that all the Amours were under French jurisdiction, and that the action of the military against the tribe for its insubordination must not be interfered with from the side of Morocco. M. Féraud explained in his note that the Amours and their district were subject to France, in accordance with the terms of the 1st Article of the Delimitation Treaty of Algeria concluded between France and Morocco on the 18th March, 1845, and which Article, according to French interpretation, stipulates that all tribes and districts which acknowledged in former times Turkish dominion, had now passed to France.

A reply, which has remained unanswered, was sent to the French Representative, stating that Moorish historical records do not bear out the pretension that the Amours were formerly under Turkish domination, but I have no doubt His Shereefian Majesty will ultimately follow the same course as when Genan Borzig was claimed by France on similar grounds (see second paragraph of my despatch No. 9, Confidential, of the 25th January, 1887), and leave the French free to govern the whole of the Amours.

I have, therefore, not thought it expedient, in the absence of positive instructions from your Lordship, to draw the attention of the Moorish Government to the IVth Article of the Delimitation Treaty of 1845 (see Inclosure in Sir John Drummond Hay's despatch No. 17, Confidential, of the 31st January, 1882), in which the Amours (Enmors) are distinctly described as dependents of Morocco. Indeed, I am still of opinion that no useful end would be attained by endeavouring to obtain assurances from the French Government on so indefinable a matter as the location of its military outposts and jurisdiction in the direction of the Algerian Sahara. The repeated explanations given in Paris that there is absolutely no intention of an advance on the Figuig oasis, it appears to me, are most valuable for maintaining thereon, at the proper time, a practicable opposition to an encroachment which is, no doubt, secretly contemplated by the present operations against the Amours and other inhabitants of the desert intervening between Algeria and the oasis of Figuig.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 36.

Sir W. K. Green to the Marquis of Salisbury.—(Received January 14.)

(No. 5. Confidential.)

My Lord,

Tangier, January 4, 1889.

I HAVE the honour to report to your Lordship that, acting in conformity with your Lordship's instructions of the 1st instant, I called this morning and informed the Moorish Commissioner for Foreign Affairs that I was prepared to discuss with him without further delay the question of the amounts of the compensation which the Moorish Government should pay to the widow of the late Mr. Morris, and Messrs. Randleson and Somers, the other sufferers from the Cape Juby outrage.

Cid-el-Hadj Mohamed Torres, on my mentioning to him that I considered 25,000 dollars should be paid to Mrs. Morris, a similar sum having been paid to the mother of the late Commandant Schmitt as compensation for her son's murder, objected that only 20,000 dollars had been awarded for the French officer's death, and that, on the understanding with M. Féraud, that the French Military Commission would be withdrawn from the Shereefian Court.

I explained to the Moorish Minister that, as the French Commission had been recently increased instead of being removed or even diminished in numbers, I could not accept his Excellency's plea that any conditions were attached to the indemnity exacted for Commandant Schmitt's murder, but that if 20,000 instead of 25,000 dollars, as I had been led to understand, had been bestowed on the late officer's mother, I had every hope that your Lordship would consent to accept the lesser amount mentioned on behalf of Mrs. Morris.

To the demand for 5,000 dollars for the two wounded men, Hadj Mohamed Torres raised many untenable objections, but on learning from me that for injuries of a less serious nature, much greater pecuniary compensation could be exacted from railway Companies or private individuals in England, he agreed to submit my demands to the Sultan, and to recommend, in the following manner, immediate compliance with them.

The Moorish Commissioner said he would advise Mulaï Hassan to send at once to Tangier 25,000 dollars as a proof that this sum would be forthcoming if Her Majesty's Government did not consider that 20,000 dollars was sufficient to meet the whole claims.

Though it is prudent never to consider a matter in which engagements by Moorish officials have been taken, as agreed upon, until the terms have been fulfilled, still I have every hope that in the course of a month or six weeks Hadj Mohamed Torres will be in a position to offer me the payment of 25,000 dollars, if I am instructed by your Lordship to decline to accept the 20,000 dollars which, he maintained, would be ample compensation for all the sufferers.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 37.

The Marquis of Salisbury to the Earl of Lytton.

(No. 21. Confidential.)

My Lord,

Foreign Office, January 14, 1889.

I TRANSMIT, for your Excellency's information, the accompanying copy of a Memorandum that has been communicated to me by the German Chargé d'Affaires at this Court,* inviting Her Majesty's Government to take combined action with the German Government in making a representation to the French Government in connection with the supposed intention of the latter to erect Bizerta into a fortified port.

I have stated to Count Leyden in reply that, in the judgment of Her Majesty's Government and according to their present information, no step has been taken by the French Government which would justify any joint action such as that proposed in his Memorandum, which might easily be misconstrued as a menace; but that they will take an opportunity of making a friendly representation to the Foreign Secretary when occasion serves.

* No. 12.

My despatch No. 19 of to-day's date will inform your Excellency that I have to-day made a representation to the French Ambassador on this subject, and have received from him assurances which, if he is well informed, are satisfactory. There would, however, be no objection to your Excellency selecting your own time and opportunity for reverting to the subject, and renewing the inquiries made by your predecessor; but any concert on this matter with the German Ambassador would not be desirable.

I am, &c.
(Signed) SALISBURY.

No. 38.

The Marquis of Salisbury to Sir W. K. Green.

(No. 4.)
Sir,

Foreign Office, January 14, 1889.

WITH reference to my despatch No. 1 of the 1st instant relative to the claims in connection with the Cape Juby outrage, I have to state to you that, as regards the compensation to be demanded for the North-West Africa Company, Her Majesty's Government hold the Sultan of Morocco responsible for the injuries he has inflicted on the trade of the Company, and for any future injuries they may sustain at His Shereefian Majesty's hands.

I have to observe that at the time when the Company established themselves at Cape Juby in the year 1879, Her Majesty's Government declined to recognize that territory as being within the dominions of the Sultan. This is admitted by Cid Emfadl Gharneet in his letter to you of the 23rd November last, a translation of which accompanies your despatch No. 144 of the 17th ultimo; but he states that steps were afterwards taken to assert Moorish dominion over the tribes in that region. In the meanwhile, the Company had established relations of friendship and commerce with those tribes, which were interrupted by the action of the Sultan's officials, notwithstanding the peaceful agreements entered into between the Company and the local Chiefs.

No announcement was ever made to foreign Powers that the Sultan had extended his dominions south of Wad Draa, nor is there up to the present time any evidence of the fact before Her Majesty's Government.

But, even if the Sultan had succeeded in bringing the territory adjacent to Cape Juby under his sovereignty and control, His Shereefian Majesty cannot ignore the pre-existing rights of foreigners established there. Her Majesty's Government must therefore protest against any attempt to compel the British Company to withdraw from Cape Juby without proper compensation for the losses which they would sustain thereby, and for the injuries which have already been inflicted on them by reason of unwarrantable action of the Sultan's officials.

I have to request you to address a note in the above sense to the Moorish Government.

I am, &c.
(Signed) SALISBURY.

No. 39.

The Marquis of Salisbury to Sir W. K. Green.

(No. 5.)
Sir,

Foreign Office, January 14, 1889.

I HAVE received your despatch No. 145 of the 20th ultimo, inclosing translation of a further note received by you from Cid Emfadl Gharneet, calling upon you to make known to me the Sultan's wish that His Shereefian Majesty's objections to paying an indemnity to the North-West African Company for its loss of business from the alleged proceedings of the Moorish Government, culminating in the outrage of the 25th March last, should be represented in a direct manner to Her Majesty's Government through a Maroquine envoy to be sent to England for the purpose.

In reply, I have to request you to decline the proposal until an answer has been received to the letter, which by my despatch No. 4 of to-day's date you have been instructed to address to the Moorish Government.

I am, &c.
(Signed) SALISBURY.

No. 40.

The Marquis of Salisbury to Count Hatzfeldt.

M. l'Ambassadeur,

Foreign Office, January 14, 1889.

HER Majesty's Government have had under their consideration the communication made to me by Count Leyden on the 3rd instant with reference to the proposal for a joint representation to the French Government on the subject of the supposed intention of the latter to erect Bizerta into a fortified port. I have now the honour to state that, in the judgment of Her Majesty's Government, and according to their present information, no step has been taken by the French Government that would justify any joint action, which might easily be misconstrued as a menace. Her Majesty's Ambassador at Paris will, however, be instructed to take an opportunity of making a friendly representation in the matter.

I have, &c.
(Signed) SALISBURY.

No. 41.

Foreign Office to Consul Ricketts.

(No. 6.)
Sir,

Foreign Office, January 14, 1889.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your despatch No. 1 of the 2nd instant.

I am to observe that the Bey of Tunis has the right to dismiss from his employment any foreigners who do not give him satisfaction, or with whose services he wishes to dispense for purposes of economy, reorganization, or for any other reason, provided he adheres to the terms of his contract with them.

Her Majesty's Government have no reason to believe that after the discussion that has taken place and the assurances which have been given by the French Government, any British subjects will be dismissed under circumstances which would justify a remonstrance on the part of Her Majesty's Government on the ground of a violation of the Article of the Italian Treaty to which you refer.

I am to instruct you, therefore, to take no action in the sense that you suggest.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 42.

Foreign Office to Admiralty.

(Confidential.)
Sir,

Foreign Office, January 14, 1889.

I AM directed by the Marquis of Salisbury to state that there is need of communicating to Her Majesty's Consul in Tunis confidential and important correspondence which cannot be intrusted to the foreign post, and which there is no means of sending by British ships.

I am to request, therefore, that you will move the Lords Commissioners of the Admiralty to give directions to the Naval Officer commanding at Malta to forward, at his early convenience, by one of Her Majesty's ships, a bag of despatches, which will shortly be sent to him by closed English mail for Mr. Ricketts.

I am to add that, having regard to the correspondence that has taken place in regard to the works being carried on at Bizerta, it appears to his Lordship that the visit of one of Her Majesty's ships to Tunisian waters at the present time would be desirable, with a view to obtaining, if possible, further information on the subject.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 43.

Consul Ricketts to the Marquis of Salisbury.—(Received January 15.)

(No. 2. Confidential.)

My Lord,

I AM told that my German colleague, M. Eckardt, having acted in the question of the schools at Tunis in a manner which was not approved of by his Government, has been recalled. He has been ordered to proceed to Marseilles, which is looked upon as an inferior post.

Tunis, January 8, 1889.

I have, &c.
(Signed) G. T. RICKETTS.

No. 44.

Consul Ricketts to the Marquis of Salisbury.—(Received January 15.)

(No. 3.)

My Lord,

Tunis, January 8, 1889.

ON the 5th instant I received a telegram from your Lordship in reference to the statement made by the Consular Agent of Monastir, to the effect that all employés of the Customs had received orders either to quit the Bey's service or to assume French nationality.

The grounds on which this statement was founded are explained in a despatch dated the 2nd January just received from Mr. Portelli, a copy of which is herewith inclosed in translation.

On a reference to that despatch, it will be observed that the Inspector of the Customs of Monastir having summoned the employés, stated that he was not aware that all had been dismissed, and assured them that only the "Receveurs" would be ordered to quit the service of the Bey. On the other hand, the "Receveur" of Monastir, an Italian, maintains that the Inspector not only told him, but made him read over an order given in writing, showing that all employed would be removed, without any distinction, and this he had communicated to those under him. The question then is: whose statement is most worthy of credence, that of the Inspector of that of the Receiver?

On this point it is somewhat difficult to form an exact opinion. One thing, however, is certain, that this matter has been much talked of of late, and on the 23rd November last an article appeared in "La Tunisie," calling on the Resident to dismiss all the Italians, eleven in number, from the Customs of Tunis, if they did not change their nationality.

An extract from that paper in reference to this matter is herewith sent.

When also it is known that the French Government has done its utmost to force foreigners residing in Algiers to become French subjects, expelling them even from the Colony for the slightest fault (see Colonel Playfair's Report on a tour in Tunis, 24th November, 1885), it is reasonable to suppose that the same line of policy will be attempted to be carried out in this country. On the whole, therefore, one cannot reject the statement of the Receiver as incorrect.

The Inspector at Monastir, according to the Vice-Consul, also stated that the "Receveurs" would be dismissed and no others, but whether all are ejected or only the "Receveurs" it makes little difference, for the principle thus introduced still remains, that a number of persons employed in the Bey's Government have been ordered to adopt French nationality or to leave the service to make room for French subjects.

It will be seen from this how necessary it is to afford protection at this moment to those who are turned out of their places—the only means of preventing such arbitrary conduct in future.

There is one British subject employed as Receiver, a Mr. Levy, at Mahdia. He has been in the Bey's service eighteen years. He has, I am told, been ordered to leave and intends protesting against this injustice. I have not, as yet, received any official information about this matter and cannot at present vouch for its accuracy. I will, however, report thereon to your Lordship as soon as the circumstances connected with this case are brought officially to my notice.

Since writing the above, I have been furnished with a declaration from a British subject, Mr. Busuttil, a copy of which is herewith inclosed, stating he heard from one of the officials in the Municipality of Tunis, where he is also employed, that those

who were engaged by the Tunisian Government would be dismissed if they did not assume French nationality. This statement was, according to Mr. Busuttil, made by the Vice-President of the Municipality officiously, and tallies to a certain extent with what was reported at first by the Vice-Consul of Monastir.

It is as well that Mr. Busuttil's name be not mentioned, as it might get him into trouble.

I have, &c.
(Signed) G. T. RICKETTS.

Inclosure 1 in No. 44.

Mr. Portelli to Consul Ricketts.

(Translation.)

Sir,

Monastir, January 2, 1889.

LAST Sunday the "Contrôleur Civil" came to Monastir, and, having called all the people employed at the Custom-house, observed to them that the Government of the Republic was not aware of the fact that, if they did not become French subjects, they would be dismissed; but, he continued, this order was simply for the "Receveurs," without reference to the other people employed, whatever their nationality may be.

The "Receveur" (an Italian subject) sustains that the Inspector of the Customs, besides verbal orders, made him read a written order, which did not specify the "Receveurs" alone, but all employed, without distinction; and if such had not been the case, he, the "Receveur," would have never capriciously given such orders.

In the meantime, the "Contrôleur," having opened an inquiry, in which all the persons employed declared in writing what the "Receveur" had said to them regarding the visit and orders given by the Inspector,—after assuring all the other employés that the Government of the Republic had no intention to dismiss them,—he left.

I have, &c.
(Signed) F. PORTELLI.

Inclosure 2 in No. 44.

Extract from "La Tunisie" of November 23, 1888.

ON nous communique la liste des employés de la Douane. Sur vingt-neuf employés, non compris le Directeur, il n'y a que huit Français.

Les autres sont Tunisiens ou. . . . Italiens: il y a dix Israélites Tunisiens et onze Italiens.

Nous avons souvent blâmé les actes de la Résidence, mais nous n'avons aucun motif de douter du patriotisme de M. Massicault. Il suffira donc, nous en sommes convaincus, de lui signaler cet état de choses regrettable pour que les onze Italiens de la Direction des Douanes soient mis en demeure de se faire naturaliser Français ou de donner leur démission.

Inclosure 3 in No. 44.

Declaration of Mr. Lorenzo Busuttil.

(Translation.)

I, THE undersigned Lorenzo Busuttil, a British subject employed in one of the Tunisian markets, called Bab Houmet-el-Alloush, do hereby declare and say that, having been informed of a report regarding the dismissal of persons employed with the Tunisian Government unless they became French subjects, I asked M. Carmelo Morelli, the Cashier of the Gates and Markets, if the said report was true. He answered me that M. Ernest Gandolphe, the Vice-President of the Municipality of Tunis, told him so officiously, and that in a few days it would be communicated officially to me and the others employed. He stated that he told me this that I may be prepared what to answer.

(Signed) LORENZO BUSUTTIL.

Tunis, January 7, 1889.

The Marquis of Salisbury to M. Catalani.

M. le Chargé d'Affaires,

Foreign Office, January 15, 1889.

I HAVE the honour to acknowledge the receipt of your communication, marked Confidential, of the 7th instant, in regard to a Decree of the Bey of Tunis concerning the competence of the French Tribunals to pronounce judgment on disputed matters of administration pending between the Tunisian Government and foreign subjects in Tunis.

I have to state to you that the matter is being carefully considered, but that Her Majesty's Government are not yet prepared to express an opinion thereon.

I have, &c.

(Signed) SALISBURY.

Sir Clare Ford to the Marquis of Salisbury.—(Received January 16.)

(No. 9. Confidential.)

My Lord,

Madrid, January 13, 1889.

I HAVE the honour to transmit herewith to your Lordship copy and précis of an article which appeared in this morning's "Imparcial," which newspaper is the most universally read one in Madrid.

The writer has taken for his theme what he considers the waning influence of Spain in Morocco, and ascribes what he describes as a policy disastrous to Spanish interests, to the action, or, rather, inaction, of Señor Diosdado, the Spanish Minister at Tangier, who is standing still whilst other nations are going ahead in pushing their respective interests and aims in that benighted and uncivilized country.

This is not the first time that I have heard complaints made against Señor Diosdado, and quite recently the Marquis de la Vega de Armijo, the Spanish Minister of State, speaking to me confidentially respecting him, said that he was more of a Moor than the Moors themselves, but that Señor Diosdado was an old schoolfellow of his, and that he did not like to remove him.

I have, &c.

(Signed) FRANCIS CLARE FORD.

Inclosure in No. 46.

Précis of Extract from the "Imparcial" of January 13, 1889.

AN INEXPLICABLE ABDICATION.—The news which we have been receiving for the last few weeks from Tangier respecting Concessions and privileges which are being obtained by other nations in Morocco would have no importance if it referred to an isolated case or to any one single Concession. But considering the advantages that are being obtained in these days by nations which have motives for considering themselves as future rivals to our present policy and to our interests in that Empire, the reflection is certainly not reassuring that Spanish influence in Morocco is experiencing slowly a defeat.

We are being quietly edged out of a country in which certainly we must be considered as having primary interests.

Now, take matters of great importance, England has organized the cable at Tangier; France has obtained permission to build the port there; Italy has obtained the privilege of founding at Fez an arms manufactory, with the monopoly of furnishing arms to the Moorish army. It is only necessary to cite a couple of cases in order to show how in little things the interests of those countries are paramount. Last summer two horses were stolen, one from a Spaniard, who was with an Italian. Time elapsed and the horses were not recovered, although the Spaniard presented his grievance at his Consulate, and on the Italian doing the same to his Minister the stolen animals were very quickly restored. The other instance: A Spaniard living in Tangier conceived the idea of establishing a tile-kiln; this he carried out, and in order

to serve his customers he asked permission to build on his own account a bridge over an adjoining river. His request was never granted until he associated himself with a Frenchman, and the thing was done at once. These examples will suffice without repeating others.

The cable, the construction of the port, the establishment of the arms factory at Fez, and other works and business carried on by foreigners, constitute so many titles to the sympathy of the Moors and to direct intervention in the affairs of the Empire.

It is not to be supposed that any one nation conceives the idea of possessing itself of Morocco by means of a brutal aggression; but we have before us what took place in Egypt and Tunis, and what will take place sooner or later in Tripoli. The European interests created in those countries have been a justification, and have given rise to their conquests. English and French were the parties interested in Egypt, French and Italian in Tunis, and the Italians are those who command the trade of Tripoli, and that nation, it is an almost foregone conclusion, will be possessors of that place. There is no reason to believe that in the case of Morocco those precedents should be departed from to benefit Spain. In Morocco as in Egypt, in Tunis and in Tripoli, that country will hold the first place that possesses the greater interests and the best footing.

If the advantages which have been obtained by other countries in Morocco were owing to the fact that Spain did not possess sufficient influence to acquire them for herself, these lamentations would be futile; but we shall probably cause surprise to many people when we state that all the Concessions above enumerated could have been made to Spain, but we did not care to have them. The Tangier cable was an old idea of the Spaniards, the construction of the port of Tangier was given to France because Spain refused to accept the Concession, and as to the arms manufactory at Fez, it would have been given with much more pleasure to the Spaniards than to the Italians. But with regard to matters of minor importance, we are perfectly certain that if our Legation at Tangier had only taken the trouble to lodge the proper complaints, they would have been settled, and our countrymen would not have found it necessary to have had recourse to associating themselves with foreigners in order to obtain justice.

What results is—an absurd state of affairs and one difficult to explain—that the Spanish authorities in Tangier maintain the principle that, in the interests of Spain, Morocco should not be civilized, and that the least possible entrance of European elements and interests should be permitted. So it happened that the Concessions for the cable, for the port, were refused, and that every opposition is placed to any Spaniards entertaining the idea of establishing any industry or commerce in the Empire, and we have fewer protected Moorish subjects there than any other country. The thought, however, is lost sight of, or, perhaps, has never occurred up to the present, that, if we do not carry out the protection system, others do, and that if we combat immigration into the country, others favour it, and if we turn up our noses at Concessions and monopolies, others take advantage of them, in order to acquire a preponderance which, in the eyes of the world, will have to-morrow a greater weight than ours on account of justice and vested interests.

To show that, in the estimation of Europe, no country but Spain had such political interests of so direct a character, excellent proofs are given in the documents published in the Spanish Red Book, published at the time the second Conference at Madrid was thought of, and that no nation, owing to Spain's vicinity and facility, has shown a better title for monopolizing the predominance in Morocco, as shown by the results obtained by the Franciscan Missions, by the establishment of the Spanish Academy of Medicine, and by the existence of a population of 4,000 Spaniards actually residing in Tangier, and all this in spite of the wishes which have been shown by our Legation there.

To be just, however, we are bound to confess that the fault of what is taking place is not entirely due to our Ministers of State; for instance, we owe to Señor Moret about the only good things Spain has in Morocco, namely, the Academy of Medicine and the development given to the missionaries. The Marquis de la Vega de Armijo has not yet had time to organize a political plan in Morocco, but, from what we hear, that plan will not be one of a ruinous abdication, nor a criminal one—which has been adopted up to the present, and from a man of such energy and initiative, it is not to be expected that his plan would be any other. The capital fault lies in our Legation in Tangier, from whose Reports, as a rule, the Spanish Ministry of State has to adjust its policy, and which to-day constitutes an invincible obstacle to anything which signifies Spanish activity in Morocco. Señor Diosdado is a perfect gentleman,

but, as a diplomatist, we have a right to judge him by the results of his policy, which are those above enumerated.

No. 47.

The Marquis of Salisbury to Sir W. K. Green.

(No. 2.)
(Telegraphic.)

Foreign Office, January 16, 1889, 9:30 P.M.

YOUR despatch No. 5.

Cape Juby: Should not sum to be lodged at Tangier be 30,000, not 25,000 dollars. Figures quoted by you do not tally. Explain by telegraph.

No. 48.

Sir W. K. Green to the Marquis of Salisbury.—(Received January 17, 4:50 P.M.)

(No. 1.)
(Telegraphic.)

Tangier, January 17, 1889, 3:37 P.M.

YOUR telegram No. 2.

Moorish Commissioner took it for granted that there would be no difficulty as to your Lordship's acceptance for the widow of the same indemnity as was paid for the French Major. His Excellency, however, hoped that 15,000 dollars for the widow and 5,000 dollars for the wounded would be deemed sufficient.

I think not less than 25,000 dollars for the entire claim should be insisted upon.

No. 49.

Sir W. K. Green to the Marquis of Salisbury.—(Received by telegraph, January 17.)

(No. 7. Ext. 1.)

My Lord,

Tangier, January 17, 1889.

WITH reference to your Lordship's telegram No. 2 of the 16th instant, I regret that I should not have explained myself sufficiently clearly in my despatch No. 5 of the 4th instant.

Hadj Mohamed Torres, in the interview which I then reported, took it for granted that your Lordship would have no difficulty in accepting, as an indemnity for the widow of Mr. Morris, the same amount as had been awarded in the case of Commandant Schmitt.

His Excellency furthermore expressed a hope that your Lordship would deem as sufficient 15,000 dollars for the widow, and 5,000 dollars for the two wounded men.

In answer to his proposal, I suggested that 25,000 dollars should be forthwith sent to Tangier, in proof of the readiness of the Moorish Government to make good its professions of willingness to be guided by your Lordship's appreciation of the case; and I am of opinion that the Commissioner's last proposal should be rejected, and that a payment of 25,000 dollars should be insisted upon in satisfaction of the entire claim.

The substance of the above has been this day telegraphed to your Lordship.

I have, &c.

(Signed) W. KIRBY GREEN.

No. 50.

Consul Ricketts to the Marquis of Salisbury.—(Received January 18.)

(No. 4.)

My Lord,

Tunis, January 10, 1889.

I HAVE the honour to inform your Lordship that despatch No. 4 of the 5th instant, signed by Sir Julian Pauncefoot, arrived here on the 9th of this month, and that No. 1 of the 1st January, sent via Algiers, only arrived here to-day, the 10th January, and that No. 3 has not yet come to hand.

I have, &c.

(Signed) G. T. RICKETTS.

No. 51.

Consul Ricketts to the Marquis of Salisbury.—(Received January 18.)

(No. 5.)

My Lord,

Tunis, January 13, 1889.

IN reference to the case of Mr. Levy, British subject, spoken of in my despatch No. 3.

I have now the honour to forward copy of a Petition from that gentleman, dated Mahdia, the 9th January, 1889, in which he states that he has been called on to renounce his nationality on pain of losing his post.

That a demand more or less to such an effect has been made is certain, for in a telegram No. 683 of the 25th December, at 2 P.M., from the Inspector of Customs of Susa, which I myself read, that functionary says: "Government desires to know if you wish to become a French subject." The reply was by telegram: "I cannot give up my nationality for certain delicate reasons which I told you the other day."

Mr. Isaac Levy was born at Gibraltar on the 2nd November, 1852.

A statement of his services is herewith inclosed, showing that he has long enjoyed the confidence of the Bey's Government.

To call on such a person to renounce his nationality on pain of dismissal, without any reason assigned, is an act which certainly does not redound to the credit of the authorities of this country.

I have, &c.

(Signed) G. T. RICKETTS.

Inclosure 1 in No. 51.

Mr. Levy to Consul Ricketts.

Sir,

Mahdia (Tunis), January 9, 1889.

YOUR petitioner, Her British Majesty's most faithful subject, has the honour to submit to your most careful attention the following:—

That during the last eight years he has been in the employ of the Tunisian Government, and for the last four years he has been and he is still acting as "Receveur des Douanes" at Mahdia.

Your petitioner prides himself that during this long interval he has always given entire satisfaction to his Chiefs, who often and often bestowed upon him very high praise in the fulfilment of his duties.

Judge, Sir, of your petitioner's surprise when lately one of his superiors informed him that if he desired to remain in his present situation he would have to demand French naturalization, as, in case of refusal, the local authorities would be in the necessity of intrusting his post to a French subject.

In answer to this barefaced proposal your petitioner had only one answer to give, and that he would never, for the sake of private interests, abandon the citizenship to which he has the honour and dignity to belong from his birth.

These are, Sir, the plain facts of the case; and in view the Tunisian Government decrees this measure, your petitioner protests most energetically for all damages that may befall him through this step, and trusts that you, Sir, will make known to Her British Majesty's Secretary of State, who will know what steps to take so as to protect the rights of one of Her Majesty's most dutiful and humble subjects.

Your petitioner has the honour to remain, &c.

(Signed) I. J. LEVY.

Inclosure 2 in No. 51.

Report obtained by the Finance Commission of His Highness the Bey of Tunis regarding the conduct of Mr. Levy, of Mahdia.

(Translation.)

Name and surname	Isaac J. Levy.
Nationality	British.
Place of birth	Gibraltar.
Date of birth	22nd November, 1852.
Education	Good.
Character	Serious.
Administrative conduct	Good.
Private conduct	Good.
Instruction	Good.
Languages	Speaks English, Italian, French, Spanish, and writes them. He also speaks Arabic.
Present position	Receiver of Customs.
Years of service	Eighteen years.

Previous Services.

Began his administrative services at Susa at the exportation of oil in 1871. In 1878 appointed Agent of Government Revenues at Monastir. In 1881 (April, May) discovered an important deposit of gunpowder at the Kuriat. Assisted the Commander of the "Leopard," who was coasting by Monastir, in all that took place. (See despatches of M. Roustan addressed to Monastir.) In July 1881 appointed British Administrator at Tunis, charged with the Mahsoulats of Sahel. In November 1881 charged to go and systemize and inspect the Agency at Bizerta. In February 1882 was commissioned to proceed to Tabarka to study the opening of new Customs, and make a Report on the other Customs at the north of Tunis. Was appointed Inspector for Ghardimaon. Left for that place in October 1882. Left by order of Government for the northern frontier. Reinstalled the Customs at Tabarka, reorganized the Customs at Balbrik, Babouche, Bordj Hamam, accompanying and instructing the employés. Received also orders to visit the southern frontier in order to reorganize, together with a Tunisian Inspector, the Customs at Sidi Yousef, where he went and placed a European Agent. On the 12th October, 1884, appointed Receiver at Mahdia.

Mahdia, January 10, 1888.

No. 52.

War Office to Foreign Office.—(Received January 18.)

THE Director of Military Intelligence presents his compliments to the Under-Secretary of State for Foreign Affairs, and, in returning Sir W. Kirby Green's despatch No. 146, with Inclosure of 22nd December, 1888, begs to suggest for consideration whether it might not be advisable to write to our Consular authorities in Algeria for any information they can obtain regarding the movements of the French column under General O'Neill, which was sent in the direction of Figuig last October.

The French newspapers and other sources of information have been silent on this subject.

*Intelligence Division, 18, Queen Anne's Gate,
January 18, 1889.*

No. 53.

Foreign Office to Consul Ricketts.

(No. 10. Confidential.)

Sir,

Foreign Office, January 18, 1889.

WITH reference to the despatch from this Office, No. 16, of the 17th November last, and to previous correspondence, in regard to real property in Tunis, I am directed by the Marquis of Salisbury to transmit to you the accompanying copies of communications from the Representatives of France and Italy at this Court upon the question ;*

* *Communiqué* by M. Waddington, December 11, 1888; and *communiqué* by M. Catalani, December 16, 1888.

and I am to instruct you at the same time to furnish his Lordship with such observations as you may have to offer thereupon, and to report fully on the case. Lord Salisbury desires to be supplied, for convenience of reference, with copies of the "Organic Laws of the Regency of Tunis," referred to in the Convention of the 10th October, 1863; the abrogated Articles of the Law of the 1st July, 1885, modified by the Law of the 16th May, 1886, referred to in the Decree of the 6th November, 1888, and the Laws of the 27th March, 1883, and the 9th April, 1884, recited in the French Decree of the 17th July, 1888, and I am to instruct you to send copies of these Laws accordingly, together with any others which may affect the question.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 54.

The Earl of Lytton to the Marquis of Salisbury.—(Received January 19.)

(No. 21.)

My Lord,

Paris, January 16, 1889.

M. GOBLET informed me this afternoon that within the last few days Signor Crispi had given M. Mariani an assurance that the Italian Government does not intend to open any new schools at Tunis *for the moment*. M. Mariani asked the Italian Prime Minister whether the French Government might take the meaning of this expression to be that there was no intention of opening the new schools, about which communications have lately been passing between the two Governments, until some amicable understanding had been arrived at on the subject of them; but to this question Signor Crispi replied that he meant no more than what he had said, and that he was not to be understood as having given any pledge with regard to the further action of the Italian Government in reference to these schools.

M. Goblet further informed me that, since he had last spoken to me on this subject, M. Massicault had received from Signor Berio formal notice that their negotiations about it were to be considered as broken off, and that he was forbidden by his Government to renew them. M. Goblet had, however, learned from the French Resident at Tunis that, subsequent to this intimation, the Italian Consul completed four days ago the purchase of premises for one of the new schools in question; and he was therefore unable to place much confidence in the duration of the "moment" to which Signor Crispi had limited the assurance given by him to M. Mariani.

His Excellency went on to say that he had been much surprised at the statement which Count Hoyos had lately been instructed to make to him, that, in the event of war between Italy and France, Italy's allies would be bound to defend her. He had, he said, remarked to my German colleague that this statement seemed inconsistent with the assurance previously received from him that, if Italy forced a quarrel on France she would do so at her own risk; and he had also instructed M. Decrais to obtain from Count Kálnoky some explanation of the apparent inconsistency.

Count Kálnoky's explanation was to the effect that the statement in question was only a formal expression of the general relation in which Austria stands to Italy by virtue of the Treaty engagements between them; that it had been rendered necessary by the mischievous language of some French journal which professed to have authentic information that Austria was about to withdraw from the Triple Alliance; and that it was in nowise intended to qualify the assurance previously given to M. Goblet by the Austrian Ambassador at Paris.

With this explanation his Excellency said that he was perfectly satisfied.

I have, &c.

(Signed) LYTTON.

No. 55.

The Earl of Lytton to the Marquis of Salisbury.—(Received January 19.)

(No. 28.)

My Lord,

Paris, January 18, 1889.

SINCE my receipt of Sir A. Paget's telegram No. 2 of the 11th instant, informing me that Count Kálnoky had received from the Austrian Ambassador at Paris no

intimation of any complaint by the French Government relative to the opening of new Italian schools in Tunis, I have been repeatedly assured by my Austrian colleague that he fully reported to his Government the language held to him by M. Goblet which, from his account of it, seems to have been identical with M. Goblet's language to myself in reference to all the circumstances mentioned in my recent despatches to your Lordship on this subject.

Count Hoyos truly observes that there has been no change in the *status quo* as between France and Italy in Tunis, inasmuch as the French have not attempted to apply the Beylical Decree of the 15th September, 1888, to the old Italian schools, and the Italians have not opened any new ones. But he tells me that he did not fail to inform Count Kálnoky of all the circumstances complained of by M. Goblet in relation to the declared intention of the Italian Government to open new schools without any previous understanding with the French Government as to the footing on which they are to be placed.

I have, &c.
(Signed) LYTTON.

No. 56.

The Earl of Lytton to the Marquis of Salisbury.—(Received January 19.)

(No. 29. Confidential.)

My Lord,

Paris, January 18, 1889.

WITH reference to your despatches Nos. 19 and 20, Confidential, of the 11th and 14th instant, relating to alleged preparations for the fortification of Bizerta, I have the honour to inform your Lordship that the assurance given to you on this subject by the French Ambassador in London is entirely confirmed by Baron Hühne, through whom I believe the German Government receives most of its information about Bizerta.

Baron Hühne is positive that nothing is being done or contemplated by the French Government in reference to the harbour at Bizerta, beyond the clearance of a portion of the canal connecting it with the inner lake, and a proposal to furnish the harbour with three or four torpedo-boats similar to those with which all the French harbours in the Mediterranean are, I believe, already supplied.

I presume that such a step would not cause alarm to Her Majesty's Government. But it is just possible that it may be abandoned rather than give any sort of colour to the reports mentioned in your Lordship's despatch No. 19 of the 11th instant; and I will take an opportunity of questioning M. Goblet about it.

It appears certain that the conversion of Bizerta into a strong naval port would be a very long and expensive undertaking. I am satisfied that the present Government has no such intention; and, if the intention existed, the means of carrying it out would not be forthcoming in the present financial condition of the French Government, which is almost verging upon bankruptcy.

My German colleague is confined to his house by a cold, and I have not received from him any communication on this subject.

I have, &c.
(Signed) LYTTON.

No. 57.

The Marquis of Salisbury to Sir W. K. Green.

(No. 8. Confidential.)

Sir,

Foreign Office, January 19, 1889.

WITH reference to your despatch No. 5, Confidential, of the 4th instant, and to your telegram No. 1 of the 17th instant, in regard to the compensation to be paid by the Moorish Government for the murder of Dr. Morris and the wounding of two other British subjects at Cape Juby, I have now to state to you that Her Majesty's Government will be satisfied as regards the case of Mrs. Morris, with the same amount as was accepted by France in the case of Major Schmitt, namely, 20,000 dollars, or 4,000*l.* You should, however, first ascertain that that was the actual sum paid, and not 5,000*l.*, as you had originally supposed.

I am, &c.
(Signed) SALISBURY.

No. 58.

Consul Ricketts to the Marquis of Salisbury.—(Received January 21.)

(No. 7.)

My Lord,

Tunis, January 15, 1889.

IN an opinion given by the Law Officers of the Crown dated the 17th January, 1887, it was decided in the case of a French subject matriculating a portion of land belonging to Ben Ayad, a British subject, that the latter must appear before the French Tribunal; and this course is recommended because the Treaty of 1863 is silent as regards disputes between foreigners, and because our jurisdiction in such matters has been ceded to the French Tribunals. At present, however, should the property be matriculated, the French Tribunals would not take cognizance of the suit, but would uphold the decision of the Mixed Tribunal—half Arab, half French—against which there is no appeal; consequently the British subject would be unable to prosecute his claim, and would in reality have no remedy, for our Treaty rights would not assist him, these being only applicable to suits between Tunisians and British subjects.

Further, should a Tunisian matriculate land belonging to a British subject, on any difference arising, the latter ought, by the Treaty of 1863, to be able to sue the former before the Court of the Sharaa; but the land once matriculated, the Sharaa, I am told, would not grant a hearing of such a claim. Of course, if a case of this description occur, it will be my duty to enter a protest against the action of the Sharaa.

Your Lordship will observe from this the difficulties which are likely to arise if this state of things be allowed to continue.

The only remedy for this evil, as far as I am able to judge, is the abolition of the Mixed Tribunal and the reversion to the method of procedure which existed formerly, namely, the hearing of all disputes about real property between foreigners in the French Tribunal, experts being called in when necessary or a reference being made to the Sharaa, suits between Tunisians and British subjects being decided on as mentioned in the Treaty of 1863. Such also would seem to have been the understanding arrived at in 1883, the French Government having then given assurances that no change whatever was contemplated in the system of real property, and this is evident from the following passage (p. 28, Decree of the 14th April, 1883, Correspondence No. 1, Tunis, 1884), which says:—

"As regards the system of real property and the application of the Laws which relate to it, no modification is made on the former system, the French Tribunal being simply substituted for the Consular Tribunal."

Further, the power intrusted to the Mixed Tribunal of sanctioning a title as valid and shutting out any claim against it not brought within two months after notice, would appear also to be contrary to the French Law itself, which grants a period of thirty years for the reclamation of property.

A system of registration may be suitable to countries like Australia or the River Plata, where large tracts unoccupied belong to the Government, no other tenure existing, but it is hardly suitable to a country like this where there are numerous forms of tenure prevailing and title-deeds have existed for centuries.

Other Laws in reference to this question are, I hear, being prepared, but ought they not, prior to publication, to be submitted to the consideration of all the Powers holding Treaties with this country?

I have, &c.
(Signed) G. T. RICKETTS.

No. 59.

The Marquis of Salisbury to M. Catalani.

(Confidential.)

THE Marquis of Salisbury presents his compliments to M. Catalani, and has the honour to transmit to him, herewith, a Memorandum containing such information as is in the possession of Her Majesty's Government respecting the port and lake of Bizerta.*

Foreign Office, January 21, 1889.

Sir W. K. Green to the Marquis of Salisbury.—(Received January 22.)

(No. 6.)

My Lord,

Tangier, January 10, 1889.

I HAVE the honour to acknowledge the receipt of your Lordship's despatches No. 115 of the 26th ultimo and No. 2 of the 2nd instant regarding the Tangier newspapers owned by British subjects, and the complaints of the Spanish Government as to their existence in Morocco.

With reference to your Lordship's instructions for me to furnish a Report on the best methods of controlling British journals in Morocco, I can only repeat that, under the existing circumstances, I do not see that there is, for the present, any course open to the competent British authorities here but that of applying generally the criminal and civil laws of England where British subjects are charged with any crime or offence committed through a Tangier newspaper.

It is quite a fortuitous circumstance that the four journals now published here (the "Africana," also a British paper, has recently ceased to appear) are owned by British subjects. If repressive measures, others than those now available, were ordered against these newspapers, they would probably be withdrawn from British jurisdiction by being transferred to some other foreign ownership—most likely American. Therefore the question reverts to the original proposal made by me, that the Moorish Government should promulgate rules governing the press in Morocco. This proposal, however, was based on the assumption that the Moorish Government would act in an enlightened manner on the subject, but as I must admit that the Sultan's Ministers would, in all likelihood, be quite incompetent to devise the suggested measures themselves, they would naturally receive extraneous assistance which might not be impartial, nor given from a purely Maroquine standpoint.

Consequently, in presence of the support extended by the united press of Tangier for the maintenance of the Empire of Morocco, there does not seem to me absolute need for interfering with a state of things which has continued for the last six years with more advantage than detriment to the Maroquine Government.

In connection with the objections of the Spanish Government to the existence of British-owned journals in Tangier detailed in Sir Clare Ford's despatch No. 158 of the 16th ultimo, I venture to transmit herewith, for your Lordship's information, an extract from the Minutes of the proceedings of the annual meeting of the International Commission for the maintenance of the Cape Spartel lighthouse, at which meeting Señor Diosdado was permitted to bring under the notice of the assembled foreign Representatives the question of the press in Morocco.

Your Lordship will observe that Señor Diosdado's observations, which were approximately an echo of the Marquis de la Vega de Armijo's representations to Sir Clare Ford, met with no support from his colleagues. Therefore, until an agreement is come to between all the Governments having relations with this country on the manner of controlling the Morocco press, no advantage could be secured by our alone accepting the decisions already come to on the subject by the Spanish Government.

I also venture to transmit herewith, as not being quite out of place in this Report, a paragraph inserted in the last issue of the "Réveil du Maroc," through my good offices, at the instance of Herr von Waldthausen, who wished that an expression of regret should be published by the editor regarding certain comments made in a leading article which the Chargé d'Affaires considered offensive towards the German Emperor and people.

This is the second time that my good offices have been able to obtain redress for the German Legation for what it has deemed press offences against the German Empire, thus showing that the British editors here are not altogether devoid of a sense of responsibility towards properly constituted authorities and the general public.

I have, &c.

(Signed) W. KIRBY GREEN.

Commission de Surveillance et d'Entretien du Phare du Cap Spartel.

Séance du 28 Décembre, 1888.

Sous la Présidence de Mr. REED LEWIS, Consul-Général des États-Unis.

Étaient présents:—MM. les Représentants d'Allemagne, d'Espagne, des États-Unis, de France, de la Grande-Bretagne, d'Italie, du Portugal, de la Suède et Norvège, et de Belgique.

M. le Représentant d'Italie a reçu de M. le Chargé d'Affaires d'Autriche-Hongrie la mission de voter pour lui.

M. le Président prie M. le Représentant d'Allemagne de diriger en son nom la séance.

L'ordre du jour appelle la présentation des prévisions budgétaires pour l'année 1889 et la discussion d'observations provoquées par l'attitude de la presse vis-à-vis de la Commission du Phare.

M. le Ministre d'Espagne demande que cette discussion soit ouverte en premier lieu, parce qu'elle peut amener indirectement des modifications aux prévisions financières, la Commission ayant à délibérer de nouveau sur l'utilité de dépenses critiquées par les journaux de Tanger.

La Commission se range à cet avis, et M. le Représentant de Grande-Bretagne ouvre la discussion en demandant s'il ne serait pas opportun d'adopter à l'égard de la presse Tangérienne la règle de conduite suivie il y a quelques années à l'égard de la presse Européenne, qui avait violemment attaqué plusieurs Représentants au Maroc, c'est-à-dire le silence du dédain, et il donne lecture de documents puisés aux archives du décanat, et relatifs à cet incident.

Avant de se prononcer la Commission veut connaître l'opinion que chacun de ses membres a émises à la suite des publications de "l'Al-Maghreb-al-Aksa" et du "Réveil du Maroc" et qui est consignée dans les Circulaires que M. le Président a fait passer.

La lecture des ces observations, d'après lesquelles plusieurs membres de la Commission seraient d'avis de faire un communiqué rectificatif aux journaux, détermine la Commission à indiquer que ces observations peuvent être aujourd'hui modifiées par le fait qu'il n'a pas été de suite pris de décision pour ou contre la rectification proposée.

M. le Représentant d'Allemagne demande, du reste, que les faits visés par la presse soient exposés, parce que jusqu'ici il n'a pu former son opinion, ignorant qu'il était de ces faits.

M. le Président donnera ces explications au cours de la séance et fait connaître qu'il avait donné un démenti verbal au journal "Al Maghreb-al-Aksa" et que ce démenti a fait l'objet d'une vérification dans cette feuille.

M. le Ministre d'Espagne exprime la pensée que ce qui ressort de cet incident, c'est que la presse ici use de toutes les licences, soustraite qu'elle est à toute sanction, puisque selon lui elle n'a pas d'existence légale, depuis la Circulaire du Sultan qui la supprime. Il demande à ses collègues s'ils sont d'accord avec lui sur ce point.

M. le Représentant de France déclare incompetent pour traiter d'une question débattue entre son Gouvernement et le Sultan, et qui n'est pas encore vidée.

M. le Représentant de Grande-Bretagne émet l'opinion que la presse de nationalité Britannique est légale au Maroc jusqu'à ce qu'elle ait été supprimée d'un commun accord entre son Gouvernement (le plus intéressé dans la question, les trois journaux publiés à Tanger appartenant à des sujets Anglais) et le Gouvernement Marocain. Or, sa dernière communication au Gouvernement Marocain au sujet du maintien de la presse ayant été faite, il y a deux ans, il considère le silence maintenu depuis lors sur cette question par le Gouvernement Chérifien comme preuve que ses arguments et conseils ont été acceptés comme conclusifs.

M. le Représentant d'Italie observe que la Commission est réunie pour discuter une question de fait et non de principe; mais qu'en ce qui touche le principe il se déclare incompetent pour la traiter sans des instructions de son Gouvernement.

M. le Représentant de Portugal ne peut décider sur cette question sans en référer à son Gouvernement, mais il sait que le Cabinet de Lisbonne n'est pas disposé à porter atteinte au Maroc au principe de la liberté de la presse.

M. le Représentant de Suède et Norvège se déclare incompetent pour répondre à la question de M. le Ministre d'Espagne.

M. le Représentant d'Allemagne émet le même avis quant au principe, mais pour le fait des insinuations de la presse contre la Commission, il réclame la poursuite devant la juridiction compétente des auteurs responsables.

M. le Représentant de Belgique se déclare incompétent pour répondre sur la légalité de la presse au Maroc: cette question lui paraît du ressort d'une Conférence Internationale.

M. le Représentant d'Espagne émet l'opinion que la presse est illégale au Maroc, parce qu'elle a été supprimée par un ordre Chérifien et que le Cabinet de Madrid n'a pas agé qu'il fût possible de s'opposer à un ordre du Sultan, qui est maître dans son Empire. Voilà pour le principe. Quant au fait, il considère qu'il faut, ou subir les conséquences des écarts des journaux Tangériens, ou se soumettre à la juridiction dont ils paraissent dépendre. Or, pour l'Espagne, qui a reconnu le droit du Sultan de supprimer la presse, il serait inadmissible qu'elle autorisât son Représentant à se soumettre à une juridiction étrangère pour des faits relevant de la juridiction du Sultan seul, qui a manifesté sa souveraineté en supprimant la presse.

Il n'y a donc, selon lui, d'autre conclusion à tirer, que d'accepter les faits sans les relever.

M. le Ministre de Grande-Bretagne est d'avis que rien ne s'oppose à ce que le Tribunal Consulaire Anglais soit saisi des plaintes que tout Représentant voudrait déposer contre la presse de nationalité Anglaise, parce que jusqu'ici il ne croit pas que la décision du Sultan sur la suppression de la presse soit définitive.

M. le Représentant d'Espagne maintient son opinion.

M. le Représentant des États-Unis déclare, pour sa part, que la presse est libre au Maroc et qu'on peut la poursuivre devant la juridiction étrangère dont elle relève.

M. le Représentant d'Espagne s'empresse de déclarer qu'il n'a soulevé la question de principe que pour arriver à la question de fait. Puisque la majorité se déclare incompétente pour traiter du principe, la Commission n'a plus qu'à donner son avis sur les moyens de répondre aux fausses allégations de la presse.

M. le Président reprend la question telle qu'elle a été posée par M. le Représentant d'Espagne sur la posture à prendre dans la circonstance actuelle.

M. le Représentant de France considère qu'il est maintenant trop tard pour relever les termes dans lesquels la presse a parlé de cette Commission; ce serait ouvrir une polémique où nous n'aurions pas le dernier mot.

M. le Représentant de Grande-Bretagne juge inutile une rectification des faits.

MM. les Représentants d'Italie et d'Autriche partagent cet avis, ainsi que MM. les Représentants de Portugal, de Suède et Norvège, et de Belgique.

M. le Représentant d'Espagne est d'opinion qu'il n'y a rien à faire, parce que la Commission ne possède aucun moyen légal de poursuivre la presse, qui n'est pas légale.

M. le Représentant d'Allemagne n'est pas de l'avis de ses collègues. Il demande qu'une rectification détaillée soit opposée aux faits avancés par la presse; il demande en outre la citation des personnes responsables des écrits publiés dans "l'Al-Maghreb-al-Aksa" et le "Réveil" devant leur juridiction respective.

Il prie, en outre, M. le Président de donner des explications sur les faits qui ont motivé les attaques de la presse.

La Commission est d'avis d'entendre ces explications.

(Here follow explanations of purely local interest.)

Inclosure 2 in No. 60.

Extract from the "Réveil du Maroc" of January 9, 1889.

LE rédacteur du "Réveil du Maroc" ayant appris qu'une portion de son article de fond—dans le numéro de 26 Décembre, 1888—a été considérée par la Légation d'Allemagne comme offensante et manquant de respect envers le peuple Allemand et son Souverain, s'empresse de témoigner de son vif regret de ce que l'article en question ait pu produire une telle impression.

No. 61.

Foreign Office to Sir L. Playfair.

(No. 2.)

Sir,

Foreign Office, January 23, 1889.

I AM directed by the Marquis of Salisbury to instruct you to report to his Lordship any information which you may be able to obtain respecting the movements of the French column, under General O'Neill, which proceeded in the direction of Figuig last October, upon which the French newspapers have been silent.

You should similarly send your reply in cypher.

I am, &c.

(Signed)

JULIAN PAUNCEFOTE.

No. 62.

Foreign Office to Consul Ricketts.

(No. 11.)

Sir,

Foreign Office, January 23, 1889.

I AM directed by the Marquis of Salisbury to transmit to you herewith, for your information, copies of papers, as marked in the margin,* relating to the alleged intention of the French Government to fortify the port of Bizerta.

I am, &c.

(Signed)

JULIAN PAUNCEFOTE.

No. 63.

Admiralty to Foreign Office.—(Received January 26.)

(Confidential.)

Sir,

Admiralty, January 25, 1889.

WITH reference to your letter of the 14th instant respecting certain correspondence for Her Majesty's Consul in Tunis, I am commanded by my Lords Commissioners of the Admiralty to request that you will state to the Marquis of Salisbury that directions will be sent to the Commander-in-chief in the Mediterranean to cause these despatches to be forwarded to their destination in a ship of war, and I am to request that the bag may be sent to Malta at an early date.

I am, &c.

(Signed)

EVAN MACGREGOR.

No. 64.

Consul Ricketts to the Marquis of Salisbury.—(Received January 29.)

(No. 8.)

My Lord,

Tunis, January 21, 1889.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 6 of the 14th January, 1889, informing me, among other things, that the Bey of Tunis has the right to dismiss from his employ any foreigners for any reason whatever, provided he adheres to the terms of his contract with them.

Since receiving the above, a telegram has been sent me from the Vice-Consul of Mehdia, a copy of which is inclosed in translation.

From this, it will be observed that Mr. Levy refuses to receive the indemnity of 6,300 piastres offered him, protests against the action of the authorities in dismissing him without any fault on his part, and demands a regular indemnity, or, in other words, an indemnity more in proportion to his services than the one awarded.

Mr. Levy's uncle, who lives in Tunis, called on me to-day, and asked me what his nephew was to do, stating he intended entering an action against the authorities. I told him he must consult his own interests in this matter, but I did not think that any such action as he spoke of would be successful, Mr. Levy having, unfortunately, no written contract with the Bey. I advised him, also, to accept the sum offered. Mr. Levy replied that his nephew was dismissed merely because he would not give up his nationality, and that in view of this, the sum offered was not in proportion to the wrong done.

* Nos. 12, 27, 32, 37, and 40.

Should your Lordship entertain the same opinion, I trust you will be pleased to permit a representation to be made on this subject to the authorities at Paris, with the view of inducing them to be more liberal in their treatment of one who has been so long in the Bey's service.

The sum of 6,300 piastres is, I believe, equivalent to one year's salary.

I have, &c.
(Signed) G. T. RICKETTS.

Inclosure in No. 64.

Consular Agent at Mehdia to Consul Ricketts.

(Translation.)
(Telegraphic.)

Mehdia, January 20, 1889.

LEVY, Receiver of Customs, communicated to me the following protest:—

"The Inspector of Customs, Jacquesson, suddenly arrived in the evening. He consigned to me a letter from the Director of Finance announcing that, in consideration of superior orders of the Government requesting them to replace the Receivers of Foreign Nationalities, I was dismissed from my employment. It was added that notwithstanding my attitude towards the Administration had not been lately very satisfactory, the Government, making use of the greatest benevolence, assigned to me as an indemnity the sum of 6,300 piastres, and ordered me to transfer immediately my service to my successor, who had arrived here together with the Inspector. The above observation regarding my attitude towards the Administration confirms to me in every respect that the chief motive of such dismissal was my refusal to become a French subject, as had been proposed to me. I have refused 6,300 piastres as an indemnity, declaring to the Inspector that I was at his disposal for examining the cash and usual inspection of service; that I could not accept my dismissal on those conditions, as I intended to sustain my rights; consequently, I would not give up my service except by force. The Inspector refused to examine the cash, ordering me to go out of the office, where the number of guardians was increased, with orders to oppose my return to the office. All that precedes I beg you to refer officially to the Contrôleur Civil, declining my responsibility regarding the service forcibly given up. I intend to protest, as I do, against whom it may concern, reserving my rights for a regular indemnity for long service and services rendered.

"I beg you to transmit, by telegraph, to Her Britannic Majesty's Consul at Tunis.

"Begging you to assist me, I have, &c."

No. 65.

The Earl of Lytton to the Marquis of Salisbury.—(Received January 30.)

(No. 35. Confidential.)

My Lord,

Paris, January 25, 1889.

MY Italian colleague called on me last Wednesday morning, in consequence of a communication from his Government, informing him that I had been instructed to join him in making a representation to the French Government on the subject of its alleged preparations for the creation of a military post at Bizerta.

He proposed to make such a representation to M. Goblet that afternoon, and was anxious that our language should be identical.

I told General Menabrea that your Lordship had received from the French Ambassador in London assurances that there was no foundation for the report to which he referred, and that the French Government repudiated the intention imputed to it. I added that I had since ascertained M. Waddington's assurances to be in complete conformity with the information received from Bizerta by the German Embassy in Paris, and I asked General Menabrea whether he or his Government had received any authentic information of a contrary character.

As he replied in the negative, I ventured to deprecate representations to the French Government founded on reports ascertained beforehand to be baseless.

I told my Italian colleague that I had no instructions to take part in any such representations, and that if I mentioned the matter to M. Goblet, it would certainly not be in such a way as to imply alarm on the part of Her Majesty's Government, or menace to the Government of France.

My conversation with General Menabrea left me under the impression that he was disposed to take the same course; but, when I saw M. Goblet in the course of the same afternoon, his Excellency informed me that he had just received from the Italian Ambassador a communication which had much surprised him, to the effect that the English Government being seriously alarmed at the steps taken by France to convert Bizerta into an armed post had invited the Italian, and he believed the German, Government to join it in protesting against these proceedings; and that he was consequently instructed to support most strongly the representations of his English and German colleagues on this subject.

M. Goblet having observed that no such representations had been received by him, and that the subject was one to which neither Count Münster nor myself had as yet made any allusion, General Menabrea had replied that the English and German protest would doubtless follow in due course. Upon this, M. Goblet stated to my Italian colleague that, beyond the clearing out of the canal connecting the harbour with the inland lake, no works of any kind had been undertaken at Bizerta; and, on being pressed by General Menabrea for pledges as to the future, he had repeated, on behalf of the present Cabinet, a declaration made by M. Barthélemy St. Hilaire, under the presidency of M. Thiers, that the French Government has at present no intention of enlarging or arming the port of Bizerta, a work, he added, which would be exceedingly expensive.

In replying to M. Goblet's inquiries respecting that part of General Menabrea's above-mentioned communication which referred to Her Majesty's Government, I took occasion to observe that the conversion of Bizerta into a strong military post would so completely change the *status quo* in the Mediterranean, that it was unnecessary to dwell upon the serious provocation sure to be given by such a step to England and other Powers whose position in the Mediterranean would be affected by it.

I added, however, that so far as I knew, your Lordship had been fully satisfied by the assurances you had received from M. Waddington on this point, and that certainly I had no reason to suppose Her Majesty's Government likely to view with grave alarm the clearing of the canal at Bizerta, or even the employment of a few torpedo-boats for the protection of the harbour. But, as a matter of fact, I said, I should be glad to learn from his Excellency the exact number of torpedo-boats already stationed there.

M. Goblet replied that there is certainly one torpedo-boat at Bizerta, and he did not think there are any more, but this he could not say for certain; in any case, the number must be very small.

On the following day, General Menabrea again called on me to recount his conversation with M. Goblet on this subject. He said he had deemed it expedient to show the French Government that Italy and her friends are on the alert, and that France will not be permitted by them to turn Bizerta into a military port, but that, in accordance with my suggestion, he had referred to the matter in the most conciliatory terms, which would, he hoped, have a soothing effect.

In this hope, however, my Italian colleague will, I fear, be disappointed. For, after repeating to me his conversation with General Menabrea, M. Goblet referred in terms of intense irritation to what he called "the exasperating disposition" displayed by the Government of Italy towards France on every possible occasion, and amongst other instances of this he cited the recent false report of an attempt by the French Government to compel foreign employes at Tunis to adopt French nationality. That report, said his Excellency, if not actually invented, had certainly been circulated by the Italian Government without any previous attempt to ascertain the truth of it; yet, when it had been proved to be untrue, the Italian Government represented to the Governments of other Powers that the designs imputed by it to France had been seriously entertained, and only abandoned under the timely and strong pressure put upon France by Italy in a common interest. "Such disingenuous proceedings," said his Excellency, "terribly increase the difficulty of that conciliatory attitude which I am striving to maintain towards Italy. For every act of forbearance or concession on my part is advertised by the Italian Government as an act of fear or surrender to menace. The result is, that in its efforts to avoid a quarrel with Italy the French Government is unjustly exposed to the suspicion of its own countrymen, whose national susceptibilities are kept continually inflamed, not by their own Government, but by the Government of Italy itself; and some day the feelings of exasperation thus systematically fomented may become too acute to be disregarded by the most pacific Cabinet in this country."

I have, &c.
(Signed) LYTTON.

The Marquis of Salisbury to the Marquis of Dufferin.

(No. 22. Confidential.)

My Lord,

Foreign Office, January 30, 1889.

THE Italian Chargé d'Affaires at this Court called at the Foreign Office to-day to make a confidential communication.

M. Catalani stated that he had received a telegram from M. Crispi to the effect that, without having recourse to any extraordinary outlay, France might improve the port of Bizerta and deepen the canal. She has taken this work in hand, which, once the fortifications completed, will neither occupy a long time nor cost a very large sum of money. The Italian Government are on the watch, but they hope Her Majesty's Government will be on the watch also, in order to prevent a disturbance of the balance of power in the Mediterranean.

I am, &c.
(Signed) SALISBURY.

Consul Ricketts to the Marquis of Salisbury.—(Received January 31.)

(No. 9.)

My Lord,

Tunis, January 25, 1889.

I HAVE the honour to forward herewith inclosed to your Lordship a Decree dated the 3rd January, 1889, and issued by the Bey of this country, establishing a Sanitary Commission, the President of which is the French Consul.

Hitherto the sanitary measures have been carried out by the Municipality; there is, therefore, no reason whatever why this state of things should be altered and the direction of this matter handed to a Commission. One is consequently led to look upon the publication of this Decree, among other things, as a means of enabling the authorities to carry out their intention as regards the inspection of the schools and dwellings of foreigners residing in this country.

The question then arises for the consideration of your Lordship: Supposing the dwelling of a British subject is entered under the orders of this Commission without the consent of his Consul being first obtained, is such an act to be regarded as a breach of the Treaties of 1875 or 1868, and can such a Law be made applicable to British subjects, in view of the rights acquired by them through the Capitulations?

I have, &c.
(Signed) G. T. RICKETTS.

Inclosure in No. 67.

Extract from the "Journal Officiel Tunisien" of January 10, 1889.

Décret du 30 Rabia-et-Tani, 1306 (3 Janvier, 1889).

(Louanges à Dieu.)

CONSIDÉRANT qu'il appartient au Gouvernement de prescrire les mesures nécessaires pour prévenir les épidémies et assurer l'assainissement des centres de population; Que, dans ce but, il y a lieu de constituer un Conseil composé d'hommes compétents destinés à éclairer l'Administration de ses avis;

Nous avons pris le Décret suivant:

Article 1^{er}. Il est établi à Tunis un Conseil Central d'Hygiène Publique et de Salubrité. Les membres de ce Conseil sont au nombre de neuf au moins et de douze au plus, non compris les membres de droit institués par l'Article 3 du présent Décret. Ils sont nommés pour neuf ans par Décret de Son Altesse le Bey et renouvelables par tiers tous les trois ans.

Art. 2. Le territoire de la Régence est divisé en trois circonscriptions sanitaires.

Ces circonscriptions auront pour chefs-lieux les villes de Tunis, Sfax, et Sousse. Dans chacune de ces deux dernières villes, il est institué une Commission d'Hygiène Publique et de Salubrité.

La circonscription de Tunis comprend: les contrôles civils de Tunis, la Goulette, Nebeul, Béja, Souk-el-Arba, Le Kef, et le Commandement Supérieur d'Aïn-Draham.

La circonscription de Sousse comprend: les contrôles civils de Sousse, de Kairouan, et de Maktar.

La circonscription de Sfax comprend: les contrôles civils de Sfax, de Djerba, et de Tozeur, et les commandements supérieurs de Gabès et de Gafsa.

Le Conseil Central de Tunis fait fonction de Commission d'Hygiène Publique et de Salubrité pour la circonscription de Tunis.

Il sera pourvu ultérieurement à la composition des Commissions régionales.

Art. 3. Font partie de droit du Conseil Central d'Hygiène Publique de Tunis:

1. Le Directeur de la Santé de la Régence.
2. Le Médecin Directeur du Lazaret de Carthage.
3. Le Médecin du Service de la Vaccine.
4. L'Inspecteur du Service Sanitaire et de l'Élevage.
5. Le Directeur du Laboratoire de Chimie Industrielle et Agricole.
6. L'Ingénieur chargé du Service des Eaux et Bâtiments de l'État.
7. L'Ingénieur du Service des Mines.
8. Le Premier Vice-Président de la Municipalité de Tunis.
9. L'Ingénieur Directeur des Travaux Publics de la Ville.
10. Le Contrôleur Civil de Tunis.
11. Le Médecin Directeur du Service de Santé Militaire.
12. Le Médecin-en-chef de l'Hôpital du Belvédère.
13. Le Pharmacien de l'Armée le plus en élevé grade.
14. Le Vétérinaire de l'Armée le plus élevé en grade en Tunis.

Art. 4. Divers fonctionnaires désignés par notre Premier Ministre peuvent être appelés à siéger dans les Conseils et Commissions avec voix consultative, ainsi que toutes personnes ayant une compétence spéciale pour des questions à l'étude.

Art. 5. Le Conseil Central d'Hygiène Publique et de Salubrité de Tunis est présidé par le Ministre Résident Général de France ou son délégué.

Le Conseil Central élit deux Vice-Présidents et un Secrétaire choisis parmi ses membres et renouvelables tous les trois ans. En l'absence du Président, le premier Vice-Président et à son défaut, le deuxième Vice-Président occupe la Présidence.

Art. 6. Le Conseil Central d'Hygiène Publique de Tunis se réunit au moins tous les deux mois. Les Commissions Régionales se réunissent au moins une fois tous les deux mois. D'autres réunions peuvent avoir lieu, sur la convocation du Président, ou lorsqu'il en aura été faite la demande par les Vice-Présidents et le Secrétaire.

Art. 7. Tout membre du Conseil Central ou des Commissions Régionales d'Hygiène Publique et de Salubrité, autre que les membres de droit, qui, sans motif d'excuse approuvé par le Conseil, a manqué de se rendre à trois convocations successives, est considéré comme démissionnaire et remplacé dans le mois qui suivra la notification de cette décision, s'il était membre du Conseil Central, dans les trois mois s'il était membre d'une Commission.

Art. 8. Le Conseil Central et les Commissions d'Hygiène Publique et de Salubrité sont consultés sur les questions relatives au maintien et à la préservation de la santé publique dans leurs circonscriptions respectives, notamment en ce qui concerne:

1. L'assainissement des localités et des habitations;
2. Les mesures à prendre pour prévenir et combattre les maladies endémiques, épidémiques et transmissibles;
3. Les maladies communes aux hommes et aux animaux;
4. La propagation de la vaccine;
5. L'organisation des secours aux malades indigents;
6. Les moyens d'améliorer les conditions sanitaires des populations industrielles et agricoles;
7. La salubrité des écoles, hôpitaux, maisons d'aliénés, établissements de bienfaisance, prisons, dépôts de mendicité, &c.;
8. La qualité des aliments, boissons, condiments et médicaments livrés à la consommation;
9. L'amélioration des établissements d'eaux minérales appartenant à l'État, aux communes, et aux particuliers;
10. La salubrité tant intérieure qu'extérieure des fabriques, manufactures,

chantiers, mines, ateliers, ainsi que les conditions d'hygiène des personnes qui y seront employées :

11. La salubrité des cours d'eau, l'alimentation en eau potable des agglomérations ;

12. Les grands travaux d'utilité publique, construction d'édifices, écoles, prisons, théâtres, ports, canaux, réservoirs, fontaines, halles, établissements des marchés, abattoirs, égouts, cimetières, voirie, &c., sous le rapport de l'hygiène publique ;

13. La statistique démographique et la géographie médicale.

Art. 9. Le Conseil Central d'Hygiène Publique de Tunis est chargé de centraliser et de coordonner les travaux des Commissions régionales d'hygiène publique et de salubrité. Il fera annuellement un Rapport sur ces travaux et sur ceux qu'il aura lui-même effectués. Ce Rapport sera adressé à M. le Ministre Résident Général.

Art. 10. La délibération du Conseil Central et des Commissions régionales d'hygiène publique et de salubrité sont transmises par les soins de M. le Ministre Résident Général à l'Administration compétente.

Art. 11. Le droit d'initiative appartient au Conseil Central et aux Commissions régionales d'hygiène publique et de salubrité, dans toutes les questions rentrant dans les attributions énoncées à l'Article 9.

Des avis pourront leur être demandés sur toutes ces questions, et en cas d'urgence, par convocation spéciale.

Art. 12. Notre Premier Ministre est chargé de l'exécution du présent Décret.

Vu pour promulgation et mise à exécution :

Le Ministre Plénipotentiaire, Résident Général
de la République Française,
(Signé) J. MASSICAULT.

Tunis, le 4 Janvier, 1889.

No. 68.

Sir W. K. Green to the Marquis of Salisbury.—(Received February 2.)

(No. 8.)

My Lord,

Tangier, January 22, 1889.

WITH reference to my despatch No. 147 of the 22nd ultimo, I have the honour to report, for your Lordship's information, that the whole of the Maroquine Embassy, with the horses and other presents, were this day embarked on board the North German Lloyd steamer "Preussen," and left in the afternoon bound for Bremen, where the vessel is due seven days hence.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 69.

The Marquis of Salisbury to the Earl of Lytton.

(No. 46.)

My Lord,

Foreign Office, February 2, 1889.

I HAVE received your Excellency's despatch No. 35, Confidential, of the 25th ultimo, reporting the substance of conversations which you had had with General Menabrea, the Italian Ambassador in Paris, and likewise with the French Minister for Foreign Affairs, in connection with the representations which the former had been instructed to make to the French Government relative to the alleged intention of creating a military port at Bizerta, and I have to convey to your Excellency my approval of your proceedings, as reported therein.

I am, &c.
(Signed) SALISBURY.

No. 70.

Foreign Office to Admiralty.

Sir,

Foreign Office, February 2, 1889.

IN reply to your letter of the 25th ultimo, I am directed by the Marquis of Salisbury to state to you, for the information of the Lords Commissioners of the Admiralty, that a

bag containing confidential print, addressed to Her Majesty's Consul at Tunis, will be forwarded to the Admiral in command at Malta by the Peninsular and Oriental steamer leaving London on the 7th instant.

I am to request that instructions may be issued by their Lordships for the conveyance of this bag to Mr. Ricketts at as early a date after its receipt at Malta as convenient.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 71.

Sir E. Malet to the Marquis of Salisbury.—(Received February 4.)

(No. 44.)

My Lord,

Berlin, February 1, 1889.

I HAVE the honour to report the arrival at Berlin on the 30th January of a Mission from the Sultan of Morocco, consisting of Cid Abdessam-ben-Rechid-el-Harist as Ambassador, Cid-el-Hadj Mohamed-el-Zucari as First Secretary, Cid Mohamed-el-Akhsassi as Second Secretary, four Kaïds-el-Miak, four officers, an interpreter, two dragomans, &c.

I understand that the object of the Mission is purely one of congratulation to the German Emperor on his accession to the Throne.

I have, &c.
(Signed) EDWARD B. MALET.

No. 72.

M. Catalani to the Marquis of Salisbury.—(Received February 4.)

(Translation.)

My Lord,

20, Grosvenor Square, London, February 1, 1889.

I HAD the honour to receive the note which your Lordship addressed to me on the 15th of January last, relative to the question of the "Contentieux" in Tunis, and now have to inform you, in confirmation and explanation of my letter of the 7th of the same month, that as soon as my Government received information on that point, they gave instructions to our Representative at Tunis to inform M. Massicault that as this Decree of the Bey made a substantial change in the provisions of the Protocol of the 25th January, 1884, it was the duty of the French Government, and not of that of the Regency, to ask for an approval.

In consequence of this the French Ambassador at Rome sent on the 25th January a *note verbale* to his Excellency Cavaliere Crispi, to inform him of the promulgation of the Decree, which took place on the 27th November, and to complain at the same time of the instructions sent to the Consul-General at Tunis.

Signor Crispi answered M. Mariani by another *note verbale*, in which he maintained that his action had been correct, and declared that the Decree of the Bey could have no validity as regards Italian subjects.

I have the honour to transmit to your Lordship herewith, with a request that they may be returned, copies of the two above-mentioned notes, so that you may be informed of the development of this incident, about which the Italian Government express the wish to know, if possible, the opinion of the Government of Great Britain, and the tenour of the communication made on this subject to the French Government.

Thanking your Lordship beforehand, &c.

(Signed) T. CATALANI.

Inclosure 1 in No. 72.

Note Verbale.

LE Gouvernement Beylical de Tunis vient de promulguer un Décret sur le Contentieux Administratif.

Cet acte a été élaboré d'après les principes et les stipulations du Protocole du 25 Janvier, 1884, portant suspension de la juridiction Italienne en Tunisie. L'Article 6,

en effet, de ce Protocole, spécifiait expressément, comme l'une des conditions de l'entente à intervenir, que la compétence des nouveaux Tribunaux serait étendue aux matières du Contentieux Administratif. L'accomplissement de cette obligation n'était pas sans offrir quelque difficulté en raison des règles de la législation Française qui diffèrent sur ce point de la législation Italienne, et ce n'est que dans ces derniers temps que le Gouvernement de la République s'est trouvé en mesure de s'en acquitter en soumettant à la signature du Bey la décision dont il s'agit.

M. Massicault avait pris soin de communiquer le texte du Décret à M. Berio, dès le 2 Novembre dernier, en le priant de le transmettre à Rome, dans la pensée qu'il serait agréable au Gouvernement Royal de pouvoir constater à quel point il s'inspirait, dans ses parties essentielles, de l'esprit de la Loi Italienne de 1865; et le Consul-Général d'Italie n'avait pas hésité à déclarer, après examen, qu'il l'avait trouvé très satisfaisant. Aussi n'est-ce pas sans surprise que le Gouvernement de la République a pris connaissance de la lettre par laquelle M. Berio a communiqué à M. Massicault un télégramme qu'il a reçu de son Gouvernement au sujet de ce Décret. Il s'agit, en effet, dans l'espèce, non pas, comme paraît le croire le Cabinet de Rome, d'une modification à apporter au régime judiciaire dont la reconnaissance fait l'objet du Protocole de 1884, mais seulement de l'exécution d'un engagement mis à la charge du Gouvernement Français par le même Protocole et qu'il lui tardait de remplir.

En faisant connaître hier la situation à M. le Président du Conseil, on lui a exposé, en toute cordialité, le point de vue auquel s'était placé le Gouvernement de la République. On ne peut aujourd'hui qu'insister sur les sentiments dont il s'est inspiré en prenant une initiative qui, on le répète, procède uniquement de son désir de s'acquitter de la dernière obligation qu'il lui restait à remplir vis-à-vis du Gouvernement Italien du fait de l'accord de 1884, et l'on espère qu'il ne restera, s'il en existait, aucun doute à cet égard dans l'esprit de son Excellence.

Rome, le 25 Décembre, 1888.

Inclosure 2 in No. 72.

Note Verbale.

(Translation.)

ON the 25th ultimo, the French Ambassador, by a note handed to his Excellency the President of the Council, informed the Italian Government of the promulgation of a Decree of the Bey's Government concerning the "Contentieux Administratif."

In this document it is asserted that the Decree has been drawn up according to the principles and stipulations of the Protocol of the 25th January, 1884, and that in consequence it is not a modification of the judicial system, but merely the execution of a duty imposed on the French Government by that same Protocol.

It is added that the text of the Decree had been communicated on the 2nd November to the Italian Agent at Tunis by M. Massicault, with a request that it might be transmitted to Rome, and that Commendatore Berio expressed his satisfaction after reading it.

Finally, it expresses the surprise of the French Government on reading the telegram addressed by the Italian Government to their Representative at Tunis, and communicated by the latter to M. Massicault.

We beg leave to point out what is inaccurate in the note from the French Embassy.

Although it is true that the enlargement of the competence of the new Tribunals to enable it to deal with matters connected with the "Contentieux Administratif" was expressly laid down by Article 6 of the Protocol of Rome of 1884, that enlargement should have been made according to Italian law.

"La juridiction du Tribunal Consulaire Italien devant intégralement passer au nouveau Magistrat, il est convenu que ce dernier aura compétence aussi dans les matières de Contentieux Administratif en conformité de la Loi Italienne du 20 Novembre, 1865." (Article 6.)

Therefore, if the new Decree restricts itself to the application of this Law, no objection could be raised by the Italian Government to its promulgation. But if, on the contrary, the provisions of Italian law in matters relating to the "Contentieux Administratif" undergo any modification whatever, there would result a real alteration in the new system of jurisdiction established by the Protocol of 1884, which could not be done without the express consent of the Italian Government.

"Le nouveau régime juridictionnel ne pourra être ultérieurement modifié qu'avec l'approbation explicite du Gouvernement du Roi." (Article 3, paragraph 3.)

As soon as the Italian Government received from Commendatore Berio the draft of the Decree, they did not fail to examine it carefully and to refer it to the Keeper of the Seals for his opinion. They have had no difficulty in perceiving that by the new arrangement the Italian Law of 1865 is more or less materially altered, although by the Protocol quoted above, that Law should have been applied in its integrity. Without entering into minute details it may be observed, as an instance, that Article 5 lays down that the Court of Appeal should decide finally, whereas by the Italian Law there is no limitation to the right of appealing to the "Cour de Cassation."

The Decree, therefore, constitutes a real modification of the system of jurisdiction sanctioned by the Franco-Italian Protocol of 1884, which cannot have any validity without the express consent of the Italian Government. And that consent must evidently be asked by the Government who concluded the Agreement.

It was precisely in this sense that the telegraphic instructions sent on the 28th November, 1888, to the Italian Agent at Tunis, were drawn up, and, according to the information received by the Minister for Foreign Affairs, the latter repeatedly declared to M. Massicault both before and after the instructions he received, that he could not accept the communication of the draft Decree, as this ought to be done by the Government of the Republic to the Italian Government.

The Italian Government have therefore a double reason for being astonished at the promulgation of the Bey's Decree in question, which can have no validity in their eyes.

Rome, January 6, 1889.

No. 73.

Foreign Office to Consul Ricketts.

(No. 15.)

Sir,

Foreign Office, February 4, 1889.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your despatch No. 32 of the 24th December last, reporting the case of Mr. G. Licari, a British subject, proprietor of a manufactory and residing at Tunis, whose shop and premises were entered by the police under the orders of an Inspector of the Sanitary Board appointed by the Municipal Council, and some 2,000 bottles of liquor and other articles seized and placed under seal.

I am to observe that although Article III of the Convention of the 10th October, 1863, respecting real property in Tunis, says: "Every proprietor of houses, magazines, or other tenements shall conform to the Municipal Regulations now existing or which shall hereafter exist," and it is repeated in Article XVII that "British subjects holding immovable property in the Regency of Tunis shall, in conforming to the local Laws and Regulations, exercise and enjoy the same immunities, privileges, and rights that are accorded to Tunisian proprietors." Article XV says that it is "moreover agreed that upon the written requisition of the Minister for Foreign Affairs, or of the President of the Municipal Council, to the Consul-General, or in his absence to his deputy, the fiscal officers shall have the right to ascertain by personal inspection that the manufactory has been diverted from the purpose for which permission was given."

The Articles of the Convention of the 19th July, 1875, which also bear upon this question, are the Vth and the XVIIth.

Article V says: "The dwellings and warehouses of British subjects destined for the purposes of residence and commerce, as well as their property, both real and personal of every kind, shall be respected, and in particular all the stipulations of the Convention concluded between Her Majesty's Government and His Highness the Bey on the 10th October, 1863, relative to the permission granted to British subjects to hold real property in the Regency of Tunis, are hereby confirmed;" and Article XVII says: "British subjects and Tunisian subjects shall be free to exercise in each others country any art, profession, or industry, and establish manufactories and factories;" and that "it is understood that the manufactories and their appurtenances being immovable property shall be subject to the provisions of the Convention of the 10th October, 1863."

These Treaty stipulations the French Government have formally engaged to respect.

The Order in Council of the 31st December, 1883, abolished British Consular

jurisdiction in Tunis, so far as regarded all matters and cases which came within the jurisdiction of the French Tribunals, but the case of Mr. Licari has not been brought before those Tribunals, and his complaint would appear to be that his manufactory has been entered by the police under no higher authority than an agent appointed by the Municipal Council, and without the previous knowledge and sanction of Her Majesty's Consul-General, and, moreover, that his goods have been improperly seized and removed from his premises.

The French Tribunals may issue process to be executed on foreigners and their residences in all matters within their civil and criminal jurisdiction, but the present is a case of process issued by the Municipality, in violation of the immunities secured by Treaty.

I am to instruct you, therefore, to make a representation to the French Resident to that effect.

I am, &c.
(Signed) JULIAN PAUNCEFOTE

No. 74.

Memorandum on Tunisian Decree respecting Inspection of Houses for Sanitary Purposes.

THE Convention with Tunis of the 19th July, 1875,* says: (Article V) "British subjects shall be free to travel or to reside in any part of the Regency without hindrance or molestation," and that "their dwellings and warehouses destined for the purposes of residence and commerce, as well as their property, both real and personal, of every kind, shall be respected, and, in particular, all the stipulations of the Convention concluded between Her Majesty's Government and His Highness the Bey on the 10th October, 1863, relative to the permission granted to British subjects to hold real property in the Regency of Tunis, are hereby confirmed." British subjects, &c., were then declared to be entitled to enjoy most-favoured-nation treatment.

The Convention of the 10th October, 1863, thus referred to, stipulates that "every proprietor of houses, magazines, or other tenements, shall conform to the Municipal Regulations now existing, or which shall hereafter exist." And Mr. Ricketts says that hitherto the sanitary measures in Tunis have been carried out by the Municipality, but he points out that the recent Decree establishes a new state of things, inasmuch as sanitary matters are now to be handed over to a Commission.

Mr. Ricketts then inquires whether this is not opposed to Treaty stipulations, as well as to the Capitulations. The Treaties have already been referred to, and show that the establishment of a "Commission" in lieu of the Municipality is, strictly speaking, opposed to the stipulations of the Treaty of 1875. With regard to the Capitulations, although Her Majesty's Government have abandoned British Consular jurisdiction in Tunis, as regards all such matters and cases as come within the jurisdiction of the French Tribunals, they have not given up the Capitulations altogether, and although, on a previous despatch from Mr. Ricketts, bearing upon a somewhat similar question, it was not thought necessary to quote the Protocol of the 28th July, 1868, with Turkey, as the case appeared to be strong enough without it, it may now be stated that by that Protocol it was agreed that "the dwelling of every person inhabiting the Ottoman territory being inviolable, and no one being entitled to enter it without the consent of its master, unless in virtue of orders issued by the competent authority, and with the assistance of the Magistrate or functionary invested with the necessary powers, the dwelling of a foreign subject is inviolable by the same right, in conformity with Treaties; and the officers of the police cannot enter them without the assistance of the Consul of the country to which the foreigner belongs, or of his Delegate.

This may be said to have been modified by the Treaty with Tunis of the 10th October, 1863, which was confirmed by the Treaty of 1875; but then the "competent authority" recognized by the Convention of 1863 was the Municipality, although it is true that it was only in the case of its being thought necessary to enter "manufactories," and not ordinary houses, that it was stipulated that this should be done upon the written requisition of the Minister for Foreign Affairs, or the President of the Municipal Council, to the Consul-General, or, in his absence, to his Deputy.

The question for consideration then is, whether it is advisable to remind the

* Hertslet's Treaties, vol. xiv, p. 543.

No. 73*.

*The Marquis of Salisbury to Mr. Herbert.**

(No. 1.)

(Telegraphic.)

Foreign Office, February 4, 1889, 6 P.M.

GERMAN Government disapprove action of their Consul-General in proclaiming martial law over foreigners, and demanding that administration of country be handed over to Germany. They renew assurances of maintenance of Treaties.

* Also to Sir J. Thurston and Consul de Coëtlogon.

French Resident in Tunis of these Treaty stipulations, or to wait until a case for remonstrance actually arises. I should recommend the latter course.

(Signed) E. HERTSLET.

Foreign Office, February 5, 1889.

No. 75.

The Marquis of Salisbury to the Earl of Lytton.

(No. 54.)

My Lord,

Foreign Office, February 9, 1889.

WITH reference to my despatch No. 20 of the 11th ultimo and to previous correspondence in regard to the alleged dismissal of Tunisian employes refusing to adopt French nationality, I transmit to your Excellency the accompanying copies of despatches, as marked in the margin,* from Her Majesty's Consul at Tunis, relative to the case of Mr. Levy, a British subject.

I have to observe to your Excellency that this is an instance of the exercise of strict legal rights in a manner calculated to give legitimate grounds of complaint to friendly Powers. It can hardly be denied that an old and deserving public servant of the Tunisian Administration possessing high qualifications for his post has been dismissed with the offer of one year's pay, solely on the ground that being a British subject he declined to accept French nationality, and it would be only just that he should at least be assigned a suitable pension.

I have to request your Lordship to represent the case to the French Government, observing that it is likely to make the worst impression in this country, and to justify the complaints of the Italian Government on the subject.

I am, &c.

(Signed) SALISBURY.

No. 76.

Sir W. K. Green to the Marquis of Salisbury.—(Received February 10.)

(No. 2.)

(Telegraphic.)

Tangier, February 9, 1889, 8.10 P.M.

CAPE JUBY.

With reference to your despatch No. 8 of the 19th ultimo, Moorish Commission has offered payment of 20,000 dollars in discharge of entire claim. I have informed his Excellency to-day that, having ascertained that 20,000 dollars was the indemnity paid for the French, your Lordship will hold the Moorish Government to paying 25,000 dollars for the widow and wounded.

No. 77.

Sir E. Malet to the Marquis of Salisbury.—(Received February 11, 2.55 P.M.)

(No. 7.)

(Telegraphic.)

Berlin, February 11, 1889, 1.40 P.M.

THE Ambassador of Morocco having sent to say he desired to be received by me in order that he might deliver a message from the Sultan of Morocco, I saw his Excellency and the accompanying Secretaries to-day. His Excellency said that the Sultan had desired for many years to send an Ambassador on a mission of compliments and friendship to the Queen, but that the proposal had always been coldly received, and the Sultan feared that interested persons might have stood in the way. The refusal to receive such a Mission had weighed as a cloud on His Majesty, and he now desired, through me, to renew the proposal, and he hoped to take a favourable answer back with him, so as to relieve His Majesty's mind. I replied that I had no knowledge of the circumstances, but that I would at once telegraph to your Lordship on the subject, and I assured him of the good-will of the Queen and Her Majesty's Government. The Ambassador leaves Berlin to return to Morocco at the end of the week.

Sir E. Malet to the Marquis of Salisbury.—(Received by telegraph, February 11.)

(No. 62. Ext. 7.)

My Lord,

Berlin, February 11, 1889.

I HAVE the honour to report that I this day received a visit from the Ambassador of Morocco and the Secretaries accompanying him. His Excellency had previously sent to say that he desired to see me, in order that he might deliver a message from his Sovereign the Sultan of Morocco.

His Excellency said that the Sultan of Morocco had for many years wished to send an Ambassador to Her Majesty the Queen on a Mission of amity and compliment, but that the proposal had never been warmly received, and it was feared by the Sultan that impediments might have been placed in the way by interested persons. The non-acceptance of the said Mission had hung as a cloud over the Sultan, and the Ambassador was now desired by His Majesty to renew the proposal through me, and his Excellency trusted that he might be enabled to take back with him a favourable answer which would ease the Sultan's mind.

I answered that I knew nothing of the previous circumstances, but that I would telegraph immediately to your Lordship on the subject, and I gave his Excellency the assurance of the good-will of Her Majesty the Queen and of Her Majesty's Government.

The Ambassador will leave this city at the end of this week on his return journey to Morocco.

I have, &c.
(Signed) EDWARD B. MALET.

No. 79.

The Marquis of Salisbury to Sir E. Malet.

(No. 8.)

(Telegraphic.)

Foreign Office, February 11, 1889, 9:45 P.M.

YOUR telegram No. 7.

Compensation has been demanded from Sultan for outrage on Cape Juby Company.

Until satisfactory settlement of that question Her Majesty's Government consider proposed Mission inopportune.

No. 80.

The Marquis of Salisbury to Sir E. Malet.

(No. 39. Ext. 8.)

Sir,

Foreign Office, February 11, 1889.

WITH reference to the message from the Sultan of Morocco, conveyed to your Excellency by the Moorish Ambassador at Berlin, as reported in your telegram No. 7 of this day's date, I have to state to your Excellency that compensation has been demanded from His Shereefian Majesty for the outrage committed on the Cape Juby Company.

Her Majesty's Government are of opinion that until a satisfactory settlement of that question has been arrived at, the proposed Moorish Mission to the Queen would be inopportune.

I have this day communicated the substance of the foregoing to your Excellency by telegraph.

I am, &c.
(Signed) SALISBURY.

Mr. Rolleston to Foreign Office.—(Received February 12.)

St. George's Club, Hanover Square, February 9, 1889.

Sir,

I HAVE the honour to inform you that about April or May, in 1885, whilst I was residing at Tangier, several natives of the district asked my friendly assistance in bringing before Sir John Drummond Hay (who was then acting as Consul-General for Austria-Hungary) some complaints that they desired to make against the Austrian Vice-Consular Agent, Dr. Maximilian Schmidl. At Sir John Hay's desire I introduced the complainants to his Excellency in the office of the British Legation. Sir John Hay heard the complaints, and on the 22nd July, 1885, entered upon an investigation. An action for libel is now pending against me and one Michael Joseph Pitman in the Supreme Court of Gibraltar at the suit of Dr. Maximilian Schmidl in respect of a telegraphic Report of complaints against him which he alleges to be a false and libellous one, and attributes to me. It is necessary for the purpose of my defence that I should have access to the official record of the proceedings against Dr. Schmidl held before Sir John Drummond Hay, and that such record should be produced in Court at the trial. I have been informed by Sir John Drummond Hay that on his ceasing to be Consul-General for Austria-Hungary he handed over to the present Consul-General, Paul Reglia von Ohmucevic, the Minutes of the proceedings against Dr. Schmidl, and that a Report of the charges against Dr. Schmidl and of the proceedings thereon was transmitted by Sir John Drummond Hay to the Foreign Office at Vienna.

I should, therefore, feel very much obliged if you would be kind enough to obtain for me a copy of the charges against Dr. Schmidl, and of the Report of Sir John Drummond Hay thereon, sent by him to Vienna, in order to enable me to prepare my defence. And I should also be much obliged if you could procure the Foreign Office at Vienna to send an instruction to their Consul-General at Tangier to arrange for the production, at the trial of the action in Gibraltar, of all the original papers relating to the charges against Dr. Schmidl, and the investigation before Sir John Drummond Hay, which were handed over by him to the present Consul-General of Austria-Hungary at Tangier.

I have, &c.
(Signed) CHARLES ROLLESTON.

No. 82.

Mr. White to the Marquis of Salisbury.—(Received February 13.)

(No. 10.)

My Lord,

Tangier, February 6, 1889.

I HAVE the honour to report that M. J. Patenôtre, who has succeeded the late M. Féraud as French Envoy Extraordinary and Minister Plenipotentiary for Morocco, arrived at Tangier in the French Government aviso "D'Estrées" on the 29th ultimo, having travelled via Algiers, where he spent a few days.

The customary salutes were fired by the "d'Estrées" and the town batteries, and M. Patenôtre was received on landing by the Moorish Commissioner for Foreign Affairs, Hadj Mohammed Torres, and by the Governor of the town, with a guard of honour.

On the following day the remains of the late M. Féraud were embarked on the "d'Estrées" under a simultaneous salute from the vessel and the town batteries, M. Patenôtre, with all the members of the French Legation, and the foreign Representatives, with their respective staffs, accompanying the body to the beach.

The "d'Estrées" sailed on the 31st ultimo for Toulon.

I have, &c.
(Signed) HERBERT E. WHITE.

No. 83.

Mr. White to the Marquis of Salisbury.—(Received February 13.)(No. 11.)
My Lord,*Tangier, February 6, 1889.*

WITH reference to Sir William Kirby Green's despatch No. 143 of the 16th December, I have the honour to report that M. Gentile, First Dragoman to the Italian Legation, returned on the 3rd instant from the Moorish Court at Fez, where he had been since the beginning of December.

I understand that the Sultan was apparently in good health when M. Gentile left.

I have, &c.
(Signed) HERBERT E. WHITE.

No. 84.

Intelligence Division to Foreign Office.—(Received February 14.)

THE Director of Military Intelligence presents his compliments to the Under-Secretary of State for Foreign Affairs, and, with reference to reports which have appeared in the newspapers as to a Spanish Military Mission to Morocco, as noted below, will be much obliged if further particulars can be procured as to the proceedings of the Mission, with, if possible, copies of the surveys on which it is said to be engaged.

*Intelligence Division, 18, Queen Anne's Gate,
February 13, 1889.*

Inclosure in No. 84.

SPANISH MISSION TO MOROCCO.

Extract from the "Temps" of August 21, 1888.

Telegram from Madrid:—

"A Spanish Military Mission has left Tetuan for Fez and Mequinez. It is to travel in the interior of Morocco."

Extract from the "Gibraltar Chronicle" of January 19, 1889.

According to news from Tangier, the Spanish Military Mission to Morocco has arrived at Mequinez, where it is engaged in topographical labours. When these are finished it will go to Fez and begin its work there.

No. 85.

Sir W. K. Green to the Marquis of Salisbury.—(Received February 14, 5.55 P.M.)(No. 3. Confidential.)
(Telegraphic.)*Tangier, February 14, 1889, 11.40 A.M.*

WITH reference to your Lordship's [two telegrams of yesterday,* it would be a matter of considerable regret if the Moorish Government were allowed to entertain for a single moment the idea that they may secure the intervention of the German or any other Government in the matter of the Cape Juby outrage. Such a belief could only result in endless delays and subterfuges on their part.

Moreover, it is well to mention that the Moorish Ambassadors are incapable of any initiative, and that the prime mover in all matters emanating from them would be the Interpreter of the German Legation here, who is now in attendance on them. M. Mannour Melpaleh is a Syrian Christian, of Beyrout, of notorious proclivities for intrigue. When arrived in this country he was entirely devoid of

* Repeating Nos. 77 and 79.

all fortune, and has since become a man of substance. He has become a *persona grata* with the Moors by teaching them how not to do things, and has interests of his own to pursue. (See Inclosure 2 in my despatch No. 102 of the 21st August last.)

I would venture to recall to your Lordship's mind that the first refusal of Her Majesty's Government to receive a Moorish Embassy originated in my predecessor's time, owing to the failure of the Sultan to accept the suggested remodelling of our Commercial Treaty with Morocco, a course which was also followed by the German Government. (See my predecessor's despatch No. 47 of the 10th June, and your despatch No. 24 of June 1885, and in my despatch No. 102 of the 27th September, 1887.)

No cloud need weigh on the Sultan's mind, as His Majesty was made aware that the Queen would accept, with every mark of consideration, His Majesty's gifts on his proposed visit last autumn to Tangier.

I cannot refrain from pointing out to your Lordship the present inopportune and unwise attempt made by the Sultan of conveying his message to your Lordship by the mouth of the chief Moorish Ambassador, whom the Sultan is well aware to have been from old times a person opposed to British interests, and constantly at variance with the British officials. The second functionary, on the contrary, is a man worthy of all respect.

May I state that I do not consider it an altogether unnecessary precaution that this Legation should be charged to convey to the Sultan the exact terms of your Lordship's answer to the messages received from His Majesty's functionaries?

No. 86.

North West Africa Company to the Marquis of Salisbury.—(Received February 15.)

My Lord,

132, Cheapside, London, February 14, 1889.

I BEG to refer your Lordship to my letter of the 2nd August, 1888, and to the "Statement of Claim" against the Sultan of Morocco, accompanying same in respect to the loss sustained by this Company in consequence of his unprovoked and wrongful interference with our rights and privileges.

I have been informed that within the last few weeks the soldiers of the Sultan have been withdrawn beyond the Wad Draa, and that the natives of the country are visiting our station at Cape Juby, for the purposes of trade.

Several of the Chiefs have expressed an earnest desire to our managers that renewed trade relations should be opened with them, thereby confirming the evidence which I have previously had the honour of submitting to your Lordship, that for three years last past we have sustained continuous loss by the action of the Sultan of Morocco.

The widow of our late manager who was murdered by the Sultan's soldiers at Cape Juby in March last, and the other sufferers in that outrage, are urging the Company to press their claims for settlement.

I trust that your Lordship will require that that reparation shall be made to this Company, which has been demanded, with as little delay as the circumstances warrant, and that we may be secured against further molestation.

I am, &c.
(Signed) JOSEPH C. LEE, Chairman.

No. 87.

Sir W. K. Green to the Marquis of Salisbury.—(Received February 15, 6 P.M.)(No. 4.)
(Telegraphic.)*Tangier, February 15, 1889, 4.40 P.M.*

A PORTION of the telegraph cable being worn out, the Eastern Telegraph Company brought a new length to replace it, but the Moorish authorities refused to allow it to pass. The "Electra" arrived last night to lay the new piece of cable in the same manner as the original cable was laid two years ago, but on their proceeding to do so this morning a body of soldiers under the command of the Lieutenant-Governor stopped the work.

Minister for Foreign Affairs informs me that orders have been received from the Sultan to prevent the work by force if necessary.

The work contemplated was merely of the nature of repairs that are imperatively necessary for the working of the cable, and the Company informs me that if not carried out the telegraphic communication may be cut off at any moment, and, unless a new piece of cable is laid, the stoppage of communication would become permanent.

I am persuaded that application to the Sultan for permission would be mere waste of time, as His Majesty has never ceased to demand the removal of the cable. I would therefore venture to suggest that some vessels of Channel Squadron at present in this neighbourhood be ordered to Tangier, and that the Sultan be informed that the cable will be laid during their presence unless within stated time His Majesty's permission is received.

The opposition of the Sultan is doubtless strengthened by advice received from the Spanish Minister. The matter, therefore, would be facilitated if a very strong reprimand were administered to my Spanish colleague, accompanied by instructions to inform the Sultan that the Spanish Government does not approve of His Majesty's present action.

No. 88.

The Eastern Telegraph Company to Foreign Office.—(Received February 15.)

Dear Sir Julian, 42, Parliament Street, London, February 15, 1889.

I HAVE just received the following telegram from the ship:—

"Tangier.

"Advised by Consul take no more active steps. Stop, as he can do no more good now. Leaving for Gibraltar, and proceed with repairs in the morning. Electrician remains."

The repairs referred to are close to Gibraltar, so that ship will be in the neighbourhood for some few days.

I have just received another telegram in reply to my question:—

"We are in telegraphic communication with Tangier; the trouble is therefore a refusal to permit us to repair our cable laid in the sand from the landing-place to the office."

Yours very truly,
(Signed) JAMES ANDERSON.

Inclosure 1 in No. 88.

Mr. De Santy to Sir James Anderson.

(Telegraphic.)

Gibraltar, February 15, 1889.

WHITE says Moorish Minister received instructions from Sultan yesterday to use force if necessary.

Sir Kirby now telegraphing Lord Salisbury for instructions. Wants us strengthen his hands by Chairman asking him to make simultaneous representation Home Office of importance of work being carried to a conclusion.

This request unofficial.

Inclosure 2 in No. 88.

Mr. Pattison to Sir James Anderson.

(Telegraphic.)

Tangier, February 15, 1889.

LANDED mile and a-half type D during night on beach.

Workmen prevented trenching it in this morning by authorities on shore.

Cable now guarded by mounted force.

Have interviewed Minister.

We test their force this afternoon.

If they oppose us, Government will be applied to.

No. 89.

The Marquis of Salisbury to Sir E. Malet.

(No. 50.)

Foreign Office, February 15, 1889.

Sir,
COUNT LEYDEN called at the Foreign Office on the 11th instant, on behalf of the German Ambassador at this Court, to inquire, for the information of his Government, what was the opinion of Her Majesty's Government of the Decree of the Bey of Tunis of the 27th November, 1888, giving powers to the French Tribunals to hear and decide on suits brought by private persons against the Administration, questions having been raised as to the character of its provisions, and as to its validity. Count Leyden stated that the German Consul at Tunis had reported that he thought a measure of the kind desirable, but that he considered the Decree not warranted by the Treaty arrangements and Capitulations. Count Leyden was informed, in reply, that the question is still under consideration, and that Her Majesty's Government are not prepared to express an opinion on the Decree, pending the receipt of M. Clunet's opinion on certain points of law, which Her Majesty's Ambassador at Paris was, by my despatch No. 17 of the 10th ultimo, directed to obtain.

I am, &c.
(Signed) SALISBURY.

No. 90.

The Marquis of Salisbury to M. Catalani.

Foreign Office, February 15, 1889.

M. le Chargé d'Affaires,

WITH reference to your letter of the 1st instant, upon the subject of the Decree of the Bey of Tunis, of the 27th November, 1888, giving powers to the French Tribunals to hear and decide on suits brought by private persons against the Administration, I have the honour to state to you that the Decree in question is still under consideration, and that Her Majesty's Government are not yet able to express an opinion thereon.

I have, &c.
(Signed) SALISBURY.

No. 91.

Mr. White to the Marquis of Salisbury.—(Received February 16.)

(No. 12.)

Tangier, February 7, 1889.

My Lord,

I HAVE the honour to report to your Lordship that a portion of the Channel Squadron, consisting of Her Majesty's ships "Northumberland," "Agincourt," and "Monarch," arrived in this bay at 2 p.m. on the 5th instant, and exchanged salutes with the town.

Vice-Admiral Baird and Rear-Admiral D'Arcy Irvine, with their respective Flag-Lieutenants, landed yesterday morning at 10 o'clock under a salute from the town batteries, M. de Vismes de Ponthieu, the assistant, and myself meeting them on the pier. The Deputy-Governor of the town, with a guard of honour, received the Admirals at the Custom-house and accompanied us to the Governor's residence.

After a short visit to the Governor, the Admirals called upon the Commissioner for Foreign Affairs, Hadj Muhammed Torres, and then repaired to this Legation, where they received the return visits of these officials, who had been informed that as the sea was somewhat rough and the vessels lying at a distance from the shore, they would be excused from returning the visits on board.

When the Governor and Hadj Muhammed Torres left the Legation on the conclusion of their visit, a signal was made to the "Northumberland," which fired a salute of fifteen guns.

The squadron left at 6 p.m. yesterday.

The visit of these vessels to Moorish waters (they had visited Tetuan before coming here) will have produced a very salutary effect in this country, where the people, officials as well as individuals, are apt to estimate the power of foreign nations by

what they see, and whereas Tangier is frequently visited by foreign ships of war, it is many years since a British vessel of any size has been seen here.

Sir William Kirby Green was much gratified when the arrival of the squadron was reported to him, as he observed that he had on several occasions expressed to your Lordship a wish that a British fleet should visit Tangier.

I have, &c.
(Signed) HERBERT E. WHITE.

No. 92.

Foreign Office to Sir J. Drummond Hay.

Sir, *Foreign Office, February 16, 1889.*
WITH reference to your despatch No. 63 of the 6th August, 1885, respecting the proceedings of Dr. Schmidl, who at that time held the post of unpaid Commercial Consul for Austria-Hungary at Tangier, I am directed by the Marquis of Salisbury to transmit to you herewith a copy of a letter from Mr. C. Rolleston respecting an action for libel now pending against him, at the instance of Dr. Maximilian Schmidl, in the Supreme Court of Gibraltar.*

I am to add that before taking any action in this matter Lord Salisbury would be much obliged if you would furnish him with any observations which you may wish to offer upon the case.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 93.

Sir E. Malet to the Marquis of Salisbury.—(Received February 18.)

(No. 63. Confidential.)

My Lord, *Berlin, February 14, 1889.*
WITH reference to my telegram No. 7 of the 11th and to your Lordship's telegram No. 8 of the same date, on the subject of the desire of the Sultan of Morocco to send an Embassy to England, I have the honour to inform your Lordship that I saw the Moorish Ambassador to-day, and that I said to his Excellency that, as he was no doubt aware, a difficulty had arisen between Her Majesty's Government and the Sultan of Morocco on account of events which had occurred at Cape Juby, when an Englishman had been murdered and others seriously wounded; that in consequence Her Majesty's Government had demanded compensation for the widow and the wounded men, but that up to the present time no compensation had been given. Your Lordship therefore desired me to say that an offer on the part of the Sultan to send an Ambassador to the Queen would at present be inopportune, as it had no chance of being entertained until that question was settled satisfactorily.

I went on to say that although no absolute pledge could at present be given on the subject, I was authorized to hold out the hope that were the Sultan to renew his proposal after compensation had been paid, it might be favourably entertained.

The Ambassador thanked me for the communication, and dwelt upon the desire of the Sultan to do justice in all cases brought before him. He felt sure that if there had been delay in settling this affair, it was due to the dilatoriness of subordinates, and not to the Sultan. He would speak to His Majesty immediately on his return, and inform him of your Lordship's answer.

The Embassy leaves Berlin on Sunday next for Essen to visit the Krupp ironworks, and then goes on to Genoa to embark for Tangier.

I have, &c.
(Signed) EDWARD B. MALET.

No. 94.

Sir W. K. Green to the Marquis of Salisbury.—(Received February 19.)

(No. 13. Ext 2.)

My Lord, *Tangier, February 9, 1889.*
I HAVE the honour to inform your Lordship that in pursuance of the instructions contained in your Lordship's despatch No. 8, Confidential, of the 19th ultimo, having ascertained that the amount of the indemnity paid by the Moorish Government for the death of Commandant Schmitt was 20,000 dollars, I have to-day communicated to Hadj Mohammed Torres your Lordship's demand for the payment of 25,000 dollars to meet the entire claim of the personal sufferers by the Cape Juby outrage. His Excellency had previously made known to me the Sultan's readiness to pay 20,000 dollars in discharge of the said claim.

The above has been communicated to your Lordship by telegram.

I have the honour to inclose, for your Lordship's information, a Memorandum of the verbal message which I caused to be conveyed to Hadj Mohammed Torres, and a translation of the letter, which I subsequently addressed to the Moorish Commissioner for Foreign Affairs, on the same subject.

Your Lordship will understand that it was a matter of great importance that I should not allow this Government to avail themselves of my illness as a pretext for procrastination in the settlement of this important question.

The necessity with Orientals of always showing signs of vitality cannot be overrated.

I have, &c.
(Signed) W. KIRBY GREEN.

Inclosure 1 in No. 94.

Instructions by Sir W. K. Green to Mr. de Vismes de Ponthieu.

ON the receipt of these instructions you will proceed to Cid-el-Hadj Mohammed Torres and read them out to him, stating that his Excellency is at liberty to have your words transcribed by his Secretary, in order that there should hereafter be no misunderstanding on the subject. You will state to the Minister that Sir William Kirby Green is desirous of knowing whether his Excellency has as yet received any reply from the Shereefian Court concerning the suggested settlement of the claims for compensation in the matter of the Cape Juby outrage. You will state to him that Sir William's untoward indisposition will not be accepted as any valid reason for not settling the matter, but, on the contrary, further delay will be regarded as an indisposition on the part of the Sultan to do in the case of a British subject the justice which was not for a moment denied when the claim of a French subject for compensation was put forward.

Hadj Mohammed Torres has had visible proofs in the Bay of Tangier within the last few days that Her Majesty's Government are not altogether oblivious of the existence of Morocco or its affairs.

If the Minister gives you no satisfactory answer, you may suggest to him that he would do well to communicate this message by special courier to the Sultan.

(Signed) W. KIRBY GREEN.

Tangier, February 8, 1889.

Inclosure 2 in No. 94.

Sir W. K. Green to Hadj Mohammad Torres.

(Translation.)
(After compliments.)

9 Jumadi II, 1306 (February 9, 1889).

I YESTERDAY encharged my assistant, M. de Vismes de Ponthieu, to convey to your Excellency a message from me, inquiring whether you had yet received an answer from His Shereefian Majesty on the matter of the compensations to be paid to the sufferers by the Cape Juby outrage. M. de Vismes de Ponthieu brought with him a written Memorandum of the language which I had instructed him to hold to your

Excellency, and suggested that your Secretary should take it down in Arabic, and that it be communicated to His Shereefian Majesty by special courier.

M. de Vismes de Ponthieu has communicated to me your Excellency's answer, that the Sultan had instructed you to express His Majesty's willingness to pay the sum of 20,000 dollars in satisfaction of the entire claim of the sufferers by the aforesaid outrage, and that you requested me to communicate to you the aforesaid message in writing.

I have now to inform your Excellency that I have communicated to Her Majesty's Government the hope heretofore expressed by your Excellency, that 20,000 dollars would be deemed sufficient to meet the joint claims of Mrs. Morris and Messrs. Randleston and Sommers, and that I have in answer received instructions from His Shereefian Majesty's Government to abide by the demand put forward in my last interview with your Excellency, and to insist on the payment of 20,000 dollars for Mrs. Morris alone, and 5,000 dollars for the two wounded men, making in all 25,000 dollars, and this His Majesty's Government has only agreed to on the understanding that 20,000 dollars is the same amount as was paid to the family of the French officer who was murdered in the Zemmour country.

I yesterday caused to be stated to you, that my present untoward indisposition will not under any circumstances be looked upon as a valid reason for putting off the settlement of this grave matter, but, on the contrary, any further delay will be reluctantly regarded as a proof of the Sultan's indisposition to do as prompt justice in the case of a British subject as was done when a claim of the like nature was brought forward by a French subject.

Your Excellency has had visible proofs within the last few days in the Bay of Tangier, that Her Majesty's Government are not altogether oblivious of Morocco or its affairs.

I have, in conclusion, to recommend your Excellency to forward this communication to the Shereefian Court by special courier without delay, as otherwise I am authorized to make a much stronger communication to the Sultan. Peace.

(Signed) W. KIRBY GREEN.

No. 95.

The Marquis of Salisbury to Sir W. K. Green.

(No. 5.)
(Telegraphic.)

Foreign Office, February 20, 1889, 4.30 P.M.

YOUR telegram No. 3 of 14th instant.

Communicate to Sultan, as you suggest, terms of my telegram No. 8 to Sir E. Malet.

I concur that Moorish Government should not be allowed to suppose that they can secure intervention of any other Government in Cape Juby question.

No. 96.

*The Marquis of Salisbury to Sir Clare Ford.**

(No. 19.)

Sir,

Foreign Office, February 20, 1889.

I TRANSMIT herewith copy of a letter from the Director of Military Intelligence asking for particulars respecting a Spanish Military Mission to Morocco, as reported in the accompanying extracts from "Le Temps" and the "Gibraltar Chronicle," and I have to request your Excellency to obtain and report to me any information which may be procurable on the subject.†

I am, &c.
(Signed) SALISBURY.

* Also to Sir W. K. Green (No. 14).

† No. 84.

No. 97.

The Marquis of Salisbury to Sir W. K. Green.

(No. 13. Ext. 5.)

Foreign Office, February 20, 1889.

Sir,

I HAVE received your telegram No. 3 of the 20th instant, and I authorize you to communicate to the Sultan of Morocco, as you suggest, the terms of my telegraphic instructions of the 11th instant to Her Majesty's Ambassador at Berlin in regard to the dispatch of a Moorish Mission to this country.

I concur in the opinion that you express, that the Moorish Government should not be permitted to suppose that they are able to secure the intervention, in the Cape Juby question, of any other Government.

The substance of the foregoing has this day been communicated to you by telegraph.

I am, &c.
(Signed) SALISBURY.

No. 98.

Foreign Office to Consul Ricketts.

(No. 22.)

Foreign Office, February 20, 1889.

Sir,

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your despatch No. 9 of the 25th ultimo, inclosing copy of a Decree dated the 3rd January, 1889, issued by the Bey of Tunis establishing a Sanitary Commission, with the French Consul as President.

With reference to your remarks as to the probable intention of the authorities in issuing this Decree, I am to observe that the Commission will probably prove a more useful institution for sanitary purposes than the Municipality; and his Lordship is therefore of opinion that Her Majesty's Government should not object to the transfer of the functions of the latter, as regards sanitary business, to the Commission. Although the Convention of the 10th October, 1863, stipulates that "every proprietor of houses, magazines, or other tenements shall conform to the Municipal Regulations," Her Majesty's Government are not prepared to insist that the sanitary measures, which are clearly binding on every householder, native or foreign, must be passed only by the Municipality.

With regard to the enforcement of those Regulations, it is clear that Her Majesty's Government, having only waived the Capitulations and abandoned British Consular jurisdiction in Tunis so far as necessary to give scope to the jurisdiction conferred on the French Tribunals, those Tribunals alone have power to execute process on foreigners, and Her Majesty's Government have a right, under the Capitulations, to require that the dwelling of a British subject shall not be forcibly entered by order of the Sanitary Commission alone.

I am to instruct you to govern yourself accordingly, but to make no protest unless a violation of a British domicile should take place by its being entered without your consent by Tunisian officials, acting solely under the orders of the Commission.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 99.

Foreign Office to North West Africa Company.

Sir,

Foreign Office, February 20, 1889.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your letter of the 14th instant in regard to your claims against the Sultan of Morocco, and I

am to state to you that a copy of it will be communicated to Her Majesty's Minister at Tangier, who is urgently pressing the claim on the Moorish Government.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 100.

The Earl of Lytton to the Marquis of Salisbury.—(Received February 21.)

(No. 83.)

My Lord,

Paris, February 20, 1889.

WITH reference to your Lordship's despatch No. 54 of the 9th instant, I have the honour to inform your Lordship that, in conversation with M. Goblet at the Foreign Office this afternoon, I spoke to him very strongly with regard to the alleged dismissal of Mr. Levy from the service of the Tunisian Customs Administration.

His Excellency said that he could scarcely credit the report, for it was in direct contradiction to what the French Resident had stated to be the intention of the Beylical Government, but he promised to telegraph at once to M. Massicault for an explanation, and to acquaint me with the result of his inquiries.

I inclose herewith a copy of a Memorandum upon the subject, which I left at the same time with M. Goblet.

I have, &c.

(Signed) LYTTON.

Inclosure in No. 100.

Memorandum by the Earl of Lytton.

THE attention of M. Goblet was called by Lord Lytton, on the 2nd January last, to the reported intention of the Tunisian Government to dismiss all foreigners from its service unless they adopted French nationality; and M. Goblet on that occasion authorized Lord Lytton to inform Lord Salisbury that there was no foundation whatever for these reports, but he added that, in view of the new Tariff Regulations, it had been deemed expedient not to dismiss, but simply to transfer to other Departments of the Tunisian Administration, some Italians previously employed in the Custom-house.

Her Majesty's Government have learned, however, notwithstanding these statements, that Mr. Levy, a British subject and Receiver of Customs at Mahdia, has been called upon to resign his post in consequence of his refusal to renounce his British nationality, and that the only compensation which he has received is one year's pay.

After the assurances conveyed by Lord Lytton from M. Goblet to Lord Salisbury, Her Majesty's Government have received this information with great surprise, and Lord Lytton has been instructed to observe to the Minister of Foreign Affairs that this is an instance of the exercise of strict legal rights in a manner calculated to give legitimate grounds of complaint to friendly Powers. It can hardly be denied that an old and deserving public servant of the Tunisian Administration, possessing high qualifications for his post, has been dismissed without pension and with only the offer of one year's salary, solely on the ground that, being a British subject, he declined to accept French nationality. In representing this case to the French Government, Lord Lytton is instructed to state that it is calculated to make the worst impression in England, and to justify the complaints which the Italian Government considered it their duty to bring to the notice of the Powers interested.

(Signed) LYTTON.

Paris, February 17, 1889.

No. 101.

Memorandum by Mr. Warburton on the Gibraltar-Tangier Cable.

THE negotiations had been going on for several years, but were suspended in 1875. In that year Sir J. Drummond Hay, on his visit to the Moorish Court, had received from the Sultan certain conditions on which His Highness would consent to the laying of the cable. These conditions are stated in the inclosures to his despatch No. 32, Commercial, of the 6th December, 1884, but they would appear not to have been formally agreed to at the time. In that despatch he refers to the previous negotiations, and reminds the Secretary of State that the negotiations of 1875 had been suspended because no English Company could be found to lay the cable on the restrictive conditions imposed. In the end of 1884, however, owing to the Eastern Telegraph Company expressing their willingness to lay the cable on the conditions of 1875, the negotiations were renewed.

In the same despatch Sir J. Drummond Hay reported the steps he was taking, and in a subsequent one (No. 3, Commercial, of the 22nd January, 1885) he reported that the Sultan had raised an objection to the English Company laying the cable without formal assurances from all the foreign Representatives that the conditions of 1875 were accepted.

His Highness being apparently afraid that if an English Company obtained the grant, some other foreign Representative or Representatives would insist on a Concession for laying wires into the interior, he also reported his further negotiations in the matter.

In a despatch of the 16th April, 1885 (No. 16, Commercial), Sir J. Drummond Hay sends a communication from the Moorish Minister, in which he says that the Sultan "will not grant permission for the cable to be laid unless all the foreign Representatives declare that they accept the conditions specified" by His Highness in 1875.

The progress of the negotiations are reported in several despatches: No. 17, Commercial, of the 5th January, 1885; No. 36, Commercial, of the 10th December, 1885; No. 7, Commercial, of the 19th January, 1886; No. 14, Commercial, of the 30th March, 1886.

Mr. Kirby Green shortly after his arrival at Tangiers reported on the position of the question (No. 71, 10th November, 1886). In this despatch he says he had ascertained that "Sir J. D. Hay had been enabled to comply fully with all the requirements of the Moorish Government," but that that Government had "maintained a studied silence." He therefore "deemed it best to proceed on the principle that their silence must be interpreted as an act of acquiescence on the part of the Moorish Government in the laying of the cable," and he suggested that the "Eastern Telegraph Company should be informed that they were at liberty to proceed with" the laying of the cable.

In this despatch he sent a copy of a note he had addressed to the Moorish Government, in which he says that steps will shortly be taken to lay the cable, "every preliminary having been duly fulfilled by my predecessor."

On the 4th February, 1887 (No. 5, Commercial), in reporting the successful laying of the cable on the 20th January, says: "Both the Moorish Commissioner for Foreign Affairs and the Basha of Tangier made representations to me against what was being done. On explaining to them, however, that the matter was one which had been in due course brought by me under the notice of Her Majesty's Government, they abstained from further interference."

In a long despatch (No. 57, 10th May, 1887) reporting his proceedings subsequently to the landing of the cable, Mr. Green recites the way in which he had been able to acquire the Sultan's final consent thereto. He says: "It is to your Lordship's knowledge that the said telegraph was laid on the assumption that the Moorish Government had come to an end of its objections," and he proceeds to state the grounds on which he considered this assumption was just.

But neither the Moorish Government nor the Sultan have ever admitted having given consent.

A demand was made for its removal, and in his report of his visit to the Moorish Court, Mr. Green says, in giving an account of his interview with the Sultan: "His Majesty stubbornly maintained that the cable must be removed, as it had been landed on Moorish soil without his permission," and "laid special stress on the arbitrary manner in which it was landed."

Sir J. Drummond Hay, No. 32, Commercial, December 6, 1884.

Ditto, No. 3, Commercial, January 22, 1885.

Ditto, No. 16, Commercial, April 18, 1885.

Mr. W. K. Green, No. 71, November 10, 1886.

Ditto, No. 5, Commercial, February 4, 1887.

Ditto, No. 57, May 10, 1887.

In a subsequent interview, Mr. Green proposed to His Majesty that the office should be closed for eight days, if a formal permission were given for its final and permanent establishment.

Mr. W. K. Green, No. 91, August 29, 1887. In a later despatch (No. 91, 29th August, 1887) Mr. Green reported that the Minister had informed him that he had received the Sultan's orders to consider the establishment of the cable as having been carried out in accordance with the original engagements entered into with Sir J. Drummond Hay, and not to go through the formality which Mr. Green had proposed.

J. W. W.

February 21, 1889.

Sir W. K. Green, No. 96, Confidential, September 7, 1887. On the 6th September, 1887, the Moorish Acting Commissioner for Foreign Affairs called on Sir W. Kirby Green, and handed to him a letter from the Sultan addressed to the Acting Commissioner, and demanding the removal of the cable.

On being reminded of the arrangement come to a few days before, the Acting Commissioner denied that he had ever spoken to Sir W. Kirby Green about the cable. The Sultan's letter is treated by Sir W. K. Green as deficient in the terms of courtesy which should have been used in it.

The Sultan's letter states that the conditions laid down have not been complied with, and that the last document purporting to show that such was the case had been returned to Sir J. D. Hay, with an intimation that the required conditions were still unfulfilled. Sir W. K. Green states that this communication was never received.

Margin of Sultan's letter. To Sir W. K. Green, October 7, 1887.

Sir W. K. Green was thereupon instructed to inform the Moorish Government that his action was entirely approved, and that he was awaiting instructions as to the reply that should be made to the Sultan's letter.

Sir W. K. Green's draft answer was considerably softened down here.

Ditto, No. 30, Commercial, December 9, 1887.

The reply, as finally settled, informed the Moorish Government that Her Majesty's Government considered the cable question as closed, and as one that could not be reopened. The reasons would be found in the British note of the 28th April, 1887.* Her Majesty's Government were surprised that the arrangement come to at Morocco should thus be left quite unnoticed. The demand for the removal of the cable was inconsistent with that arrangement. Her Majesty's Government expected that no further demand for removal would be made—a demand which in itself, and especially in the manner of its communication, was not calculated to improve relations between the two countries.

H. F.

February 25, 1889.

No. 102.

The Marquis of Salisbury to Sir E. Malet.

(No. 59.)

Sir,

Foreign Office, February 21, 1889.

I HAVE received your despatch No. 63, Confidential, of the 14th instant, and I have to convey to your Excellency my approval of the language that you used to the Moorish Ambassador, as reported therein, in regard to the proposed Moorish Mission to this country.

I am, &c.
(Signed) SALISBURY.

No. 103.

Sir W. K. Green to the Marquis of Salisbury.—(Received February 23.)

(No. 14. Confidential. Ext. 3.)

My Lord,

Tangier, February 13, 1889.

I HAVE the honour to acknowledge the receipt of two telegrams from your Lordship, dated yesterday.

I venture here to repeat my conviction, that it would be most inadvisable that

* See notice of Sir W. K. Green's No. 57 of May 10, 1887, in this Memorandum.

the Moors should be allowed, even for one moment, to nurture a hope of being able to obtain the intervention of the German or of any other foreign Government in the settlement of the claims arising out of the Cape Juby outrage. The only result of their entertaining such an idea would be endless delays and subterfuges on their part.

I think it right to call your Lordship's attention to the fact that the Moorish Ambassador, and the functionaries accompanying him, must be regarded as incapable of any initiative, and that any move they may make is in all probability inspired by the interpreter of the German Legation at this place, M. Mansour Melhameh, who accompanies them. This gentleman is a Christian Syrian and a native of Beyrouth, and is well known for his proneness to intrigue. Though on his arrival here he possessed no private means, he is now regarded as a man of substance. He has ingratiated himself with the Moorish authorities by teaching them how to avoid doing things, and has also personal interests to further (see Inclosure 2 in my despatch No. 102 of the 21st August last).

I beg to remind your Lordship that the first occasion on which Her Majesty's Government declined to receive an Embassy from the Sultan was during my predecessor's time, and that the motive of that refusal was the failure of His Shereefian Majesty to accept the suggested remodelling of the Commercial Convention between Great Britain and Morocco. (Vide my predecessor's despatch No. 47 of the 10th June, 1885, and your Lordship's despatch No. 30 of the 24th June, 1885.) A similar course was followed shortly afterwards by the German Government. (See my despatch No. 102 of the 27th September, 1887.)

There is no reason why a cloud should weigh on His Majesty's mind, for at the time of his proposed visit to Tangier during last autumn the Sultan was made aware that the Queen would accept his gifts with every mark of consideration.

I cannot refrain from pointing out to your Lordship the inopportune and injudiciousness underlying the present steps taken by the Sultan for conveying to your Lordship a message through Sir Edward Malet, in the selection as his mouth-piece for this purpose of the Chief Moorish Ambassador now at Berlin, whom His Majesty must know to have been from old times a person opposed to British interests, and constantly at variance with the British officials. The second in rank of the Moorish functionaries composing the mission to Germany is, on the contrary, a man worthy of every respect.

I venture further to suggest, as a not altogether unnecessary precaution, that your Lordship should cause the exact terms of the answer given to the Moorish Ambassador's messages to be conveyed to His Shereefian Majesty through the medium of this Legation.

The substance of the above has been communicated to your Lordship by telegram.
I have, &c.
(Signed) W. KIRBY GREEN.

No. 104.

Sir W. K. Green to the Marquis of Salisbury.—(Received February 23.)

(No. 15.)

My Lord,

Tangier, February 14, 1889.

I YESTERDAY had the honour to receive your Lordship's despatch No. 11, with print "North Africa," section No. 490, in which I read with great interest Sir Clare Ford's despatch, with an account of the Marquis Vega de Armijo's views as to the policy pursued here by my colleague, Señor Diosdado, and the précis in the same sense of an article which has recently appeared in the "Imparcial."

I trust your Lordship will permit me to point out in this rather brief manner some observations which have occurred to me on the subject, and which the state of my health prevents me from developing at greater length.

Señor Diosdado is taken to task for not having secured for Spanish enterprise the establishment of a submarine cable between Morocco and Europe, or the building of a port, or the establishment of a small-arms manufactory.

With regard to the first, I have only to say that if the Spanish Government had, in the remotest manner, allowed its wish to be known to be the immediate originator of such an undertaking, no opposition would have been encountered by it on the part of the British Representative.

I have no knowledge whatever of the asserted concession to France of harbour works at Tangier, nor do I believe that the small-arms factory is likely to injure or compete with in the slightest way the manufacture of small-arms in Spain. In fact, I believe it is certain that the arms that will be produced in the said factory under Italian supervision will cost the Sultan at least three or four times as much as would purchase the same articles in the markets of Europe.

I think it would be most desirable that the Spanish Government should be called upon to specify the public works for the progress and development of this country, such as roads, bridges, &c., which are to be introduced here under the Spanish aegis, in order that it might be assured that it would meet with the warmest and most unqualified support from Her Majesty's Representative for the purpose of inducing the Shereefian Government to fall in with these wishes.

By a reference to my despatch No. 146 of the 23rd December, 1887, concerning the wish of certain Belgian manufacturers to tempt the Sultan to endow his country with railways, and French opposition to such schemes, your Lordship will observe the grounds upon which I secured for the Belgian Minister a favourable reception at the Shereefian Court of himself and his projects.

It is only a few days ago that I received a letter from my late colleague, Baron Whetnell, attributing all the success he had met with in that direction at the Court to the support I had afforded him, and renewing to me his thanks for it.

I think it would be well to let the Spanish Government understand that instead of looking upon the British Representative as an opponent of its projects, it ought to regard him as a supporter of them in the sense I have indicated in my despatch regarding the Belgian railway schemes.

In view of the support which we are prepared to extend to Spanish enterprise here, I venture to suggest that it would be opportune to invite the Spanish Government to treat British enterprise and capital in this respect with a certain amount of reciprocity, and to abandon its recent methods of opposing and interfering with every effort made by Englishmen to put to profit the natural resources of this country.

The Spanish Government ought to bear in mind that they have established a telephone at Tangier without any Shereefian authority, and without any opposition from British or other foreign quarters. This useful undertaking having proved sterile has been solely due to the incapacity of the Administration which is carried on quite on Spanish lines. Nor should the Spanish Government forget the loyal support which has been extended to it in the matter of the mail-lines recently established between Cadiz and Tangier by the British officials and public.

If Señor Diosdado could only bring himself to understand that helping this country on towards progress does not mean undermining its vitality, I am persuaded that he would abandon the malevolent attitude observed by him towards British interests.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 105.

Sir W. K. Green to the Marquis of Salisbury.—(Received February 23.)

(No. 17.)
My Lord,

Tangier, February 16, 1889.

WITH reference to my telegram No. 4 of yesterday's date, I think it my duty to place before your Lordship the full particulars of the opposition of the Moorish authorities to the repairing of the telegraphic cable connecting this place with Gibraltar.

On the 25th instant the Superintendent of the Telegraph Office called on me, and informed me that the trench line laid two years ago being now decayed, a new piece of cable had been sent to replace it, but, as this cable was about a mile and a-half in length, it would be difficult to pass it through the narrow and tortuous streets of the town, and he therefore requested me to obtain permission from the competent officials to convey the cable to the required spot by sea instead of through the town, the cable being of course previously dutied at the Custom-house.

Considering this a reasonable request, I applied for the required permission, first to the Administrators of Customs, and then to the Commissioner for Foreign Affairs, Hadj Muhammad Torres, but with equal unsuccess in each case.

In view of this refusal, and as the importance of laying the cable promptly precluded an application to the Court, the cable was landed at the Custom-house, and the Administrators were requested to duty it. Here a fresh difficulty arose, the Customs officers stating that it was an article of merchandize they were not acquainted with, and that they were therefore unable to assess the duty.

They were then informed that the value of the cable was 75*l.*, and that a declaration to this effect would be made, if required, and 7*l.* 10*s.* was tendered as duty.

Upon this the Customs officials changed their ground, and declared that as "cable" was not mentioned in the Commercial Treaty, they could not assume the responsibility of passing it without superior orders.

On the 6th instant Her Majesty's Consul, Mr. White, called upon the Administrators of Customs, and pointed out to them that, by the terms of the IInd and VIth Articles of the Commercial Convention, British subjects are entitled to introduce into the country all goods or merchandize not expressly prohibited in Article II, and that they were therefore assuming a grave responsibility in thus refusing to pass this cable. The Administrators, however, remained firm in their refusal.

Mr. White then called upon Hadj Muhammad Torres, and held similar language to him, explaining further that there was no question of laying a new cable, but merely of repairing that already in existence.

Hadj Muhammad Torres replied that the matter was one for the Customs officials, and that he could not interfere.

Mr. White now addressed a letter to the Administrators of Customs, repeating to them the arguments he had already used, and requesting them to pass the cable without further delay.

I have the honour to inclose translation of the reply of the Administrators of Customs, who state that, as the Sultan has never entirely sanctioned the existence of the telegraph, they could not pass this cable without superior orders, and in a further interview Mr. White had with one of the Administrators, the latter begged him to again apply to Hadj Muhammad Torres.

On the 9th instant Mr. White received a letter from the Telegraph Office, stating that it was of great importance that the cable should be repaired without loss of time. He thereupon addressed a letter to Hadj Muhammad Torres, inclosing copies of his letter to the Administrators of Customs, and of their reply, and repeating his assurance that the piece of new cable was required merely for repairing the existing cable, and requesting him to give the Administrators the required instructions.

Hadj Muhammad Torres, however, replied in the same sense as the Administrators had done.

Finding that all applications to the local authorities were met with the same malevolent opposition, the Telegraph Company resolved to take advantage of the presence of the "Electra" at Gibraltar to repair the cable in the same manner as they had laid it two years ago, viz., to proceed to repair it without more ado. (See despatch No. 5, Commercial, of the 4th February, 1887.)

Consequently, on the night of the 14th instant, the "Electra" arrived here, and on the following morning landed a piece of cable to replace the old one; but before the cable could be laid along the trenches, a body of soldiers, mounted and on foot, under command of the Lieutenant-Governor, appeared on the spot and surrounded the cable. Not wishing to be engaged in any conflict, the Company's employés desisted from their work, and came in to report the matter.

Once again Mr. White called on Hadj Muhammad Torres, who informed him that orders had been received from the Sultan to prevent the repair of the cable, and to use force, if necessary, for that object.

In view of this declaration, the Company were recommended to take no further steps in the matter for the present, and I reported the occurrences to your Lordship in the telegram I had the honour to address to you yesterday.

A body of troops is at present encamped near the cable, and, as I learn from a letter received from the telegraph office, their Moorish foreman has been seized and cast into prison heavily laden with irons, for having assisted in landing the cable from the "Electra." If this unfortunate man is not rescued from the Moorish authorities, he will certainly be most cruelly punished and probably never emerge from prison alive: there is, therefore, but too good reason for the Company's apprehensions that this act of terrorism, if not checked, will deprive them for the future of the possibility of obtaining native labour.

As your Lordship is aware, the Sultan has always opposed the connection of his country with the rest of the world by telegraphic cable, and having found that Her

Majesty's Government was not disposed to agree to his request for its removal, he has evidently resolved to cause its removal or destruction by preventing its repair, and in this resolve he has doubtless been strengthened by advice received from my Spanish colleague, who has ever been as opposed to the cable as the Sultan himself.

To permit the Sultan to cut off his country from telegraphic communication with the rest of the world would only be abetting His Majesty in his foolish endeavours to place himself before the civilized world as an impracticable Sovereign over a country of considerable importance to its neighbours, whilst, on the contrary, forcing His Majesty's hands to do what is right would be only strengthening his political position.

In my above-mentioned telegram, I ventured to suggest to your Lordship that some vessels of the Channel Squadron, at present at Gibraltar, be ordered to Tangier, and that the Sultan be informed that, unless within a certain time His Majesty grants the required permission, the repairs will be effected in the absence of such permission whilst the vessels are in the bay.

In making this suggestion, I do not indicate that any force other than moral be used, nor would it be necessary, for it would be sufficient to show that Her Majesty's Government were resolved not to be overcome by the Sultan's opposition in this matter. The immense development which telegraphic communication took the moment the cable was laid will make the suspension of the service all the more disastrous for the good reputation of the Government, which it is so desirable we should maintain.

His Majesty has always been and is still under the impression that in the question of the cable, as in that of the Juby outrage and also in other matters, I have acted on my own responsibility, and have not communicated to your Lordship the letters I have received from the Court: this is further clearly shown by the application recently made to your Lordship through the Moorish Embassy at Berlin and Sir Edward Malet, to receive an Envoy from the Sultan, although they had already preferred the same request through me. (See despatch No. 145 of the 20th December, 1888.)

I therefore venture to express the hope that your Lordship will obtain the necessary orders to the Channel Squadron, and I am convinced that negotiations with the Moorish Government on the Cape Juby and other questions will be very much simplified thereby, whereas, if the Sultan finds that he can successfully oppose Her Majesty's Government in this matter, he will conclude that he can do the same in others, and greater difficulties are sure to arise from such tolerance of his hostile proceedings.

I have, &c.
(Signed) W. KIRBY GREEN.

Inclosure 1 in No. 105.

Mr. White to the Oomana of Tangier.

(Translation.)
(After compliments.)

THE day before yesterday I spoke to you regarding your refusal to duty and pass some iron wire imported by some British subjects, but notwithstanding the arguments I brought forward you persisted in your refusal to allow this wire to pass, on the plea that you supposed it to be for use in the telegraph.

I warned you at the time that you were incurring a very grave responsibility in acting thus, but I think it right, the matter being one of great importance on the question of principle involved, to repeat to you in writing the arguments I then employed.

The commercial intercourse of British subjects with this country is governed by the Commercial Treaty in force, and the authorities of both countries are bound to abide by and put in force the terms of this Treaty.

Now, Article II of this Treaty stipulates that—

"The Sultan of Morocco engages to abolish all monopolies or prohibitions on imported goods, except tobacco, pipes of all kinds used for smoking, opium, sulphur, powder, saltpetre, lead, arms of all kinds, and ammunition of war."

Thus iron wire, even if required for telegraphic purposes, not being included in the preceding list of prohibited goods, may be imported, and the Moorish authorities have not the right to prohibit it. This is made doubly clear by the terms of Article VI, which stipulates:—

"Merchandise or goods, except the articles enumerated in Article II imported by

British subjects in any vessel or from any country, shall not be prohibited in the territories of the Sultan of Morocco."

With the terms of the Treaty thus clearly put before you, I have no doubt that you will no longer hesitate to pass the wire in question, and thus remove the necessity of a very serious complaint being lodged in the proper quarter.

Peace.

(Signed) H. E. WHITE.

7 Jumadi II, 1306 (February 8, 1889).

Inclosure 2 in No. 105.

The Oomana of Tangier to Sir W. K. Green.

(Translation.)
(After compliments.)

WE have received your letter dated the 8th February, 1889, corresponding to the 7th Jumadi II, in which you repeat to us in writing the language which you had caused to be held verbally to us, demanding the passage of the wire, and we have acquainted ourselves with your Excellency's explanations on the subject, and your indication of the terms of the IInd and VIth Articles of the Commercial Treaty between our two Governments.

We have to inform your Excellency that the provisions of the Treaty are known to us, but that the wire in question being something connected with the telegraph, and as we are aware that the latter has not met with entire sanction, it would not beseem us to give our sanction to anything connected with it, unless in the course of time we should receive an order from our superior authorities or directly from the Shereefian Court, for without that we should bear the responsibility in our own persons. We are convinced that your Excellency is actuated by nothing but good will towards us. Therefore, we earnestly hope that your Excellency will be pleased to accept our excuse. May your Excellency continue in good health.

Peace.

(Signed) MUHAMMAD ABD-UL-MEJID BARGASH.
MUHAMMAD BRISHA.
OTHMAN BEN JELUN.

8 Jumadi II, 1306 (February 9, 1889).

Inclosure 3 in No. 105.

The Eastern Telegraph Company to Mr. White.

Sir,

Tangier, February 9, 1889.

WITH regard to the telegraph cable belonging to the Eastern Telegraph Company, now lying on the beach by the Custom-house, and which the authorities refuse to pass, although the rightful dues have been tendered, I beg to state, for your information and guidance, that it is very important to the interests of the Company and the public that it should be released without delay, for the following reasons:—

1. The cable has been sent over from Gibraltar to replace a portion of the old trench line, which is much decayed, and in urgent need of repair.

2. If the repair is not effected at once, it is quite within the bounds of possibility that Tangier may at any moment be cut off from telegraphic communication with Europe.

3. Considerable expense has already been incurred by the Company on account of the transport of the cable and preparing of the trench, which latter it will be necessary to fill in again, whether the repair is effected or not.

4. Every day that the cable lies on the beach it depreciates in value.

I have, &c.

(Signed) F. ALEX. TAYLOR, Assistant Manager
and Electrician, Gibraltar Station.

Inclosure 4 in No. 105.

Mr. White to Hadj Muhammad Torres.

(Translation.)

(After compliments.)

I INCLOSE copy of a letter I yesterday addressed the Oomana of this port, and of their reply received this day. You will observe that, notwithstanding my having pointed out to them that by the terms of the Treaty the British subjects are entitled to pass this wire through the Custom-house, and they have no right to stop it, they declare that they require superior orders, and they have referred me to you for such orders.

Under these circumstances, I again apply to your Excellency to give the necessary instructions, and I beg to inform you that grave prejudice will be suffered by the British subjects should any further delay occur in passing this wire, for which prejudice the Moorish Government will be held responsible. The Oomana have already on several occasions passed similar wire and other apparatus appertaining to the telegraph, and there is no reason why they should hesitate to pass this piece of wire, which is destined merely to replace a piece of old wire now worn out, and is not for the purpose of laying a new line. I cannot suppose that, in following their present course, they are under the impression that they will succeed in stopping the working of the cable, or I would assure them that efficient steps would be taken to prevent such an unfortunate result being brought about.

I trust that your Excellency will have the goodness to give the Oomana immediate instructions to pass this wire without further loss of time.

Peace.

(Signed) H. E. WHITE.

8 Jumadi II, 1306 (February 9, 1889).

Inclosure 5 in No. 105.

Hadj Muhammad Torres to Mr. White.

(Translation.)

(After compliments.)

I have received your letter of the 19th (? 9th) February, 1888 (? 1889), corresponding to the 8th Jumadi II, 1306, inclosing the copy of your letter to the Administrators of the Port of Tangier, demanding the passage (through the Custom-house) of the telegraph cable, as also of their answer formulating their excuse to you for this, for it would not be proper that they should sanction anything belonging to the telegraph which has not been entirely accepted by His Shereefian Majesty. Their excuse is admissible, and I myself also am unable to give my sanction to it before it has met with the complete approbation of the Sultan. As His Shereefian Majesty is near at hand, it is open to your Excellency to refer the matter to him.

Peace.

(Signed) MUHAMMAD TORRES.

9 Jumadi II, 1306 (February 20 (? 10), 1888 [sic]).

Inclosure 6 in No. 105.

The Eastern Telegraph Company to Mr. White.

Sir,

Tangier, February 16, 1889.

IT has come to my knowledge that our Moorish foreman, whom we always employ when we require labourers for work in connection with our cable to Gibraltar, has been arrested, heavily ironed, and put in prison, by the Moorish authorities, for assisting us in our late attempted repair of the cable, an attempt which has, so far, been frustrated by the determined opposition of the said authorities.

The man's sole offence is that he has worked for us, and I beg you will take immediate steps to have him released, as it is intolerable that such a state of things should exist, and, further, unless he is immediately set at liberty, and his freedom from arrest guaranteed, we will find it impossible to obtain Moorish labour in future, as the

labourers will naturally be unwilling to risk imprisonment, and possible ill-treatment, by working for us.

I have, &c.
(Signed) F. ALEX TAYLOR.

No. 106.

Sir W. K. Green to the Marquis of Salisbury.—(Received February 24, 10 P.M.)

(No. 5.)

(Telegraphic.)

Tangier, February 24, 1889, 5.36 P.M.

MY telegram No. 4.

Believing that your Lordship is not prepared to adopt the recommendations contained in above-mentioned telegram, and as I understand the telegraph cable is likely to cease being in workable order from one moment to the other, without the remotest prospect of the Sultan reconsidering his determination to oppose the necessary repair of the cable, I venture humbly to submit to your Lordship's consideration that perhaps His Majesty might be brought to a proper sense of the situation if your Lordship authorized me to address to the Sultan a note couched in firm terms, informing him that Her Majesty's Government will exact an indemnity calculated at rate of 150*l.* per hour from the moment the cable ceases to work through the absence of the repairs of which the Moorish Government has prevented the execution. In my note I would point out the odium that would fall upon the Moorish Government through its unjustifiable action in depriving the public of the inestimable benefit of telegraphic connection with civilized world. I would also give an assurance to the Sultan that there is no foundation whatever for the reports that have reached him through mischievous and designing sources that Eastern Telegraph Company was preparing to lay cables to some of the western ports, where Moorish Government has already made great preparations to resist such landing.

To permit Sultan to deprive us of direct telegraphic communications will surely be considered a commercial, if not political, disaster.

No. 107.

Sir W. K. Green to the Marquis of Salisbury.—(Received by telegraph, February 24.)

(No. 21. Ext. 5.)

My Lord,

Tangier, February 24, 1889.

I HAVE this day had the honour of telegraphing the following to your Lordship:—

With reference to my telegram to your Lordship No. 4 of the 15th instant, I apprehend that possibly your Lordship may not be prepared to adopt the recommendations contained therein. As, on the other hand, there is imminent danger of the cable ceasing to be in workable order, and no prospect whatever that the Sultan may be led to abandon his opposition to the execution of necessary repairs to the cable, I venture humbly to submit to your Lordship's consideration, that it is not impossible that His Majesty might be led to take a more satisfactory view of the situation if I were authorized by your Lordship to address to the Sultan a note, couched in decided terms, to the effect that Her Majesty's Government will hold His Majesty liable to pay to the Eastern Telegraph Company compensation reckoned at the rate of 150*l.* per hour from the instant the cable ceases to work through want of the repairs which the Moorish Government has not allowed to be executed. I would propose that I should point out to the Moorish Government in my note, the odium it will incur by a persistence in its unjustifiable action in depriving the public of so inestimable a boon as telegraphic communication with the outer world, and also that I should give His Shereefian Majesty an assurance that the reports he has received from mischievous and designing sources, that the Eastern Telegraph Company were making preparations to lay cables to some of the western parts of the Empire, to resist which vast preparations have been made, are totally devoid of foundation.

Permit me most respectfully to observe to your Lordship that it would be certainly

considered a commercial, if not a political, disaster, were the Sultan to be permitted to deprive us of our direct telegraphic communication with the world.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 108.

Sir W. K. Green to the Marquis of Salisbury.—(Received February 25.)

(No. 16. Ext. 4.)

My Lord,

Tangier, February 15, 1889.

I HAVE to-day had the honour of reporting to your Lordship, by telegraph, in the following sense.

The Eastern Telegraph Company, in consequence of a part of their cable connecting Gibraltar with this place having become worn, had sent a new end to Tangier with the object of replacing the piece damaged. The Moorish authorities, however, refused obstinately to let it pass through the Custom-house.

Last night the Eastern Telegraph Company's steam-ship "Electra" arrived here, with the object of laying the piece in question in the manner which had proved successful two years ago, but this morning, just as they were about to accomplish their object, a body of soldiers led by the Lieutenant-Governor marched out to the beach, and put a stop to their proceedings.

On my addressing a representation on this subject to the Commissioner for Foreign Affairs, his Excellency informed me that he had received orders from the Sultan to oppose, by force if necessary, the contemplated laying of the fresh end of cable.

The work that was intended to be carried out was only of the nature of repairs, which are imperatively necessary, if the working of the cable is to be continued; and I learn from the Telegraph Company that the telegraphic communications are in imminent danger of being cut off, and that, if the new end is not laid, they will be permanently stopped.

It is my conviction that there would be absolutely no use in applying to the Sultan for the desired permission, for His Majesty has frequently and persistently demanded the removal of the cable.

I therefore take upon myself to suggest that a part of the Channel Squadron now cruising in this vicinity be sent here, and that I should be empowered to acquaint His Shereefian Majesty that unless permission for laying the piece of cable in question be accorded within a specified period, the cable will be laid during the presence here of Her Majesty's ships.

I have no doubt that the present opposition encountered from His Shereefian Majesty derives its strength in a great measure from advice tendered by my Spanish colleague. I cannot therefore refrain from expressing the opinion to your Lordship, that the matter would be considerably facilitated if a very strong reprimand were addressed to Señor Diosdado, and he were instructed to inform the Sultan that His Majesty's present action is not viewed with approbation by the Spanish Government.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 109.

The Marquis of Salisbury to the Earl of Lytton.

(No. 76.)

My Lord,

Foreign Office, February 25, 1889.

I HAVE received your Excellency's despatch No. 83 of the 20th instant, reporting that, in conversation on the afternoon of that day with the French Minister for Foreign Affairs, you had spoken to his Excellency very strongly with regard to the alleged dismissal of Mr. Levy from the service of the Tunisian Customs Administration. I have to convey to your Excellency my approval of your proceedings, and of the Memorandum upon the subject which your Lordship left at the same time with M. Goblet.

I am, &c.
(Signed) SALISBURY.

No. 110.

The Marquis of Salisbury to Sir W. K. Green.

(No. 16.)

Sir,

Foreign Office, February 25, 1889.

I HAVE received your despatch No. 13 of the 9th instant in regard to the Cape Jubu case, and I have to convey to you my approval of the verbal communication, as reported therein, that you caused to be conveyed to Hadj Mohammed Torres, the Moorish Minister for Foreign Affairs, and also of the terms of the letter which you subsequently addressed to his Excellency.

I am, &c.
(Signed) SALISBURY.

No. 111.

Foreign Office to Admiralty.

Foreign Office, February 25, 1889.

Sir,

I AM directed by the Marquis of Salisbury to acquaint you that intelligence has been received from Her Majesty's Minister at Tangier to the effect that the Moorish authorities have refused to allow of the repair by the Eastern Telegraph Company's ship "Electra" of the Gibraltar-Tangier telegraph cable, a portion of which has become worn out, and have signified their intention of preventing the work by force, if necessary.

I am therefore to request that in laying this letter before the Lords Commissioners of the Admiralty, you will move their Lordships to give instructions for a ship of war to be dispatched to Tangier to prevent the Moors from interfering with the necessary work of repairing the cable in question.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 112.

Consul Ricketts to the Marquis of Salisbury.—(Received February 26.)

(No. 10.)

My Lord,

Tunis, February 18, 1889.

IN the newspaper called the "Tunis" on the 9th of this month, it was stated: "There is a report to the effect that the Court of Tunis has been declared incompetent in matters of real property by the Court of Appeal of Algiers." I have not as yet been able to verify the truth of this report, but will endeavour to obtain a copy of this sentence should it exist.

If the effect of this decision be to withdraw from the Court of Tunis the power which it has taken to itself since the occupation of hearing suits respecting real property, leaving it merely to execute the sentences of the Sharâa, the Mixed Court holding no authority, it would be better than the course recommended by me in my despatch No. 7, wherein I suggested that suits between foreigners relating to immovable property, should be heard by the French Tribunal, a reference being made to the Sharâa in every case; and this would seem to be evident:—

1. In that the Sharâa is the only Court in this country capable of dealing with questions of title, often very intricate.
2. In that, prior to the occupation, such suits between foreigners, when brought before the Consuls, were generally transferred to the Sharâa for their hearing and opinion, the Consuls merely executing or asking the sentences to be revised.
3. In that this exequatur would appear to have been the only power which should have been transferred to the French Tribunal in accordance with the arrangement made in 1883.
4. In that the delay arising from the action of the French Tribunal in these matters is excessive. As a proof of this I have only to cite the case of Mr. Busuttil, which, if the Court was incompetent, should have at once been thrown out, instead of being detained there for three years and upwards.

I have, &c.
(Signed) G. T. RICKETTS.

No. 113.

The Marquis of Salisbury to Sir W. K. Green.(No. 6.)
(Telegraphic.)*Foreign Office, February 26, 1889.*

YOUR telegram No. 5.

We do not think your proposed note to Sultan likely to effect object. Ship of war will proceed to Tangier. Report her arrival, and await further instructions.

No. 114.

The Marquis of Salisbury to Sir W. K. Green.—(Substance telegraphed.)

(No. 17. Ext. 6.)

Sir,

Foreign Office, February 26, 1889.

I HAVE received your telegram No. 5 of the 24th instant upon the subject of the Gibraltar-Tangier telegraph cable.

Her Majesty's Government do not consider that the note which you propose should be addressed to the Sultan of Morocco in the matter would be likely to effect the desired object.

One of Her Majesty's ships will proceed to Tangier, and I have to request you to report her arrival to me, and to await further instructions. The substance of the foregoing has this day been communicated to you by telegraph.

I am, &c.
(Signed) SALISBURY.

No. 115.

Sir Clare Ford to the Marquis of Salisbury.—(Received February 27.)

(No. 21.)

My Lord,

Madrid, February 24, 1889.

WITH reference to your Lordship's despatch No. 19 of the 20th instant relative to a Spanish Military Mission to Morocco, I have the honour to inclose herein copy of a note which I have addressed to the Spanish Minister of State on the subject.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Inclosure in No. 115.

Sir Clare Ford to the Marquis de la Vega de Armijo.

M. le Ministre,

Madrid, February 24, 1889.

VARIOUS reports having appeared in the newspapers relative to a Spanish Military Mission to Morocco, which, it is stated, has left Tetuan for Fez and Mequinez to travel in the interior of Morocco with the intention of prosecuting certain topographical business, Her Majesty's Government are anxious to be informed as to any particulars which can be procured as to the proceedings of the Mission, with, if possible, copies of the surveys on which it is said to be engaged.

I shall therefore deem it a favour if your Excellency would furnish me with all information which it may be in your Excellency's power to afford me on the subject.

I avail, &c.
(Signed) FRANCIS CLARE FORD.

No. 116.

Sir W. K. Green to the Marquis of Salisbury.—(Received February 28.)

(No. 20.)

My Lord,

Tangier, February 20, 1889.

I HAVE the honour herewith to transmit to your Lordship the translation of a note which, in pursuance of the instructions contained in your Lordship's despatches Nos. 4 and 5 of the 14th ultimo, I have addressed to the Moorish Vizier for Foreign Affairs, Cid Emfadl Gharnit, in regard to the claim for compensation of the North-West African Company against the Sultan on account of the loss of its trade at Cape Juby, and the Sultan's desire to settle the question by the intermediary of a Special Embassy to be sent by His Shereefian Majesty to England.

I have thought it right, agreeably with the tradition which has been established by my predecessor in the intercourse of this Legation with the Shereefian Court, to accompany the above note by a letter in private form, of which a copy is inclosed, intended to remove any doubts which might linger in the minds of the Sultan or his Ministers as to the true nature of the official communication made to them.

I have, &c.
(Signed) W. KIRBY GREEN.

Inclosure 1 in No. 116.

Sir W. K. Green to Cid Emfadl Gharnit.

(Translation.)

(After compliments.)

February 11, 1889 (10 Jumadi II, 1306).

I HAVE communicated to Her Majesty's Government your Excellency's two letters dated 29th Rebia I (23rd November) last, in which you, by direction of His Shereefian Majesty, on the one hand express His Majesty's readiness to pay compensation to the widow of Mr. Morris, who was killed near Cape Juby, and the two persons who were wounded on the same occasion, and, on the other hand, endeavour to show cause why the Moorish Government should not be held to pay compensation to the North-West African Company for the loss of its trade in that district occasioned by the action of the Sultan and of those whom the Sultan has intrusted with carrying on his Government there.

I also subsequently forwarded to Lord Salisbury another letter from your Excellency dated the 4th Rebia II (9th December), through which you communicated the Sultan's desire that this question should be negotiated by means of a Special Envoy to be sent by His Majesty to the seat of Her Majesty's Government.

In answer to the first two letters above mentioned, I have received a communication from Her Majesty's Government directing me to acquaint the Sultan that they hold His Majesty directly responsible for the injuries he has inflicted on the trade of the Company, and for any future injuries they may sustain at His Majesty's hands.

The Marquis of Salisbury directs me to observe to you that, in one of your aforesaid letters, you admit that in 1879, when the Company established itself at Cape Juby, Her Majesty's Government declined to recognize that territory as being within the dominions of the Sultan, and that, with regard to your statement that steps were afterwards taken to assert Moorish dominion over the tribes of that district, it must be remembered that in the interval which elapsed between their first establishment at Juby and the adoption of the aforesaid steps, the Company had established relations of friendship and commerce with those tribes, which were interrupted by the action of the Sultan's officials, notwithstanding the peaceful Agreements entered into between the Company and the local Chiefs.

I am to call your attention to the fact that no announcement was ever made to foreign Powers that the Sultan had extended his dominions south of Wad Draa, nor is there up to the present time any evidence of the fact before Her Majesty's Government. But his Lordship maintains that even if the Sultan had succeeded in bringing the territory adjacent to Cape Juby under his sovereignty and control, His Shereefian Majesty cannot ignore the pre-existing rights of foreigners established there.

Her Majesty's Government therefore protest against any attempt to compel the British Company to withdraw from Cape Juby without proper compensation for the losses which they would sustain thereby, and for the injuries which have already been inflicted on them by reason of the unwarrantable action of the Sultan's officials.

With regard to your third letter above mentioned, I am instructed by the Marquis of Salisbury to inform you that Her Majesty's Government cannot take under their consideration His Shereefian Majesty's proposal to treat this matter directly with them through a Maroquine Envoy to be sent to England until an answer shall have been received to the present communication.

Peace.

(Signed) W. KIRBY GREEN.

Inclosure 2 in No. 116.

Sir W. K. Green to Cid Emfadi Gharnit.

(Private and Confidential.)
(Translation.)

Tangier, February 11, 1889 (10 Jamadi II, 1306).

NOT wishing to depart from the traditions of friendship and good-will which have ever been the most marked features of the conduct of this Legation towards the Shereefian Government, I think it right to accompany the note which is sent by the present courier with these few words of friendly information and counsel.

I have to urge your Excellency to impress upon the Sultan that the terms of the note are not to be read as merely being my own expression of personal opinion, but that they must be accepted by His Shereefian Majesty as directly emanating from Her Majesty's Ministers, and that every one of the arguments used by those Ministers have been duly weighed and pondered, and cannot be lightly put aside by counter-assertions, which cannot have any foundation. I trust, O friend, that you will understand that these few words are addressed to you as a warning to prevent you embarking upon purposeless discussions with a Government which ponders and measures carefully every particle of its arguments, discussions which can only result in being hurtful to you.

Peace.

(Signed) W. KIRBY GREEN.

No. 117.

Admiralty to Foreign Office.—(Received February 28.)

(Confidential.)
Sir,

Admiralty, February 27, 1889.

WITH reference to your letter of the 25th instant, stating that the Moorish authorities have refused to allow the repair of the Gibraltar-Tangier telegraph cable, and requesting that one of Her Majesty's ships may be sent to Tangier to prevent any interference with the work in question, I am commanded by my Lords Commissioners of the Admiralty to acquaint you that a telegram, of which the accompanying is the decipher, has this day been sent to the British Admiral at Gibraltar, in conformity with Lord Salisbury's wishes:—

"Send 'Curlew' Tangier prevent interference by Moors of repair to telegraph cable by Telegraph Company's ship 'Electra.'"

I am, &c.
(Signed) EVAN MACGREGOR.

No. 118.

The Marquis of Salisbury to Sir W. K. Green.

(No. 7.)

(Telegraphic.)

Foreign Office, February 28, 1889.

YOUR No. 19.

Leave granted. Mr. White to take charge.

No. 119.

Foreign Office to Consul Ricketts.

(No. 23.)

Sir,

Foreign Office, February 28, 1889.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your despatch No. 37 of the 24th December last, reporting that you had attended a meeting of your colleagues for the nomination of "Délégués" as stated by you to be required under the Law regulating the organization of French jurisdiction in Tunis.

In the first place, I am to point out that the matter is governed by the Presidential Decree of the 14th April, 1883, which you will find at p. 41, Confidential Correspondence, No. 4805, respecting French Tribunals in Tunis.

In that Decree, provision is made for the nomination by the Representatives of the foreign Powers of two Notables to sit on a Commission for the appointment of Assessors in criminal cases where foreigners are concerned.

With reference to the comments which you make on the working of the Commission, and to your suggestion that some amendment should be introduced into it, I am to observe that the French Government might have claimed that the list of Assessors should be prepared in their own Tribunals without reference to the foreign community, but they consented to add two Notables to the Commission charged with that duty.

The Decree, moreover, was submitted at the time to Her Majesty's Government, who raised no objection to the provision in question, and I am to state that Lord Salisbury sees no ground for modifying that view.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 120.

Foreign Office to Eastern Telegraph Company.

(Telegraphic.)

Foreign Office, March 1, 1889, 5-30 P.M.
IS "Electra" at Tangier? If not, where?

No. 121.

Eastern Telegraph Company to Foreign Office.—(Received March 1.)

(Telegraphic.)

March 1, 1889.
"ELECTRA" left Gibraltar for London direct 4 P.M. to-day.

No. 122.

The Marquis of Salisbury to Sir W. K. Green.

(No. 8.)

(Telegraphic.)

Foreign Office, March 2, 1889.

"ELECTRA" reported to have left Gibraltar for London yesterday.

Is there another repairing ship at Tangier?

Warn Commander of Her Majesty's ship "Curlew" to await further instructions. Report on present situation.

No. 123.

The Marquis of Salisbury to Sir W. K. Green.—(Substance telegraphed.)

(No. 18. Ext. 8.)

Sir,

Foreign Office, March 2, 1889.

WITH reference to my despatch No. 17 of the 26th ultimo, in regard to the Gibraltar-Tangier cable, I have to acquaint you that I am informed that the "Electra" is stated to have left Gibraltar yesterday for London.

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X

I have to request you to report whether there is at Tangier another repairing ship, and further to report on the present state of the question. You will warn the Commander of Her Majesty's ship "Curlew" to await further instructions before executing his present orders.

The substance of the foregoing has this day been communicated to you by telegraph.

I am, &c.
(Signed) SALISBURY.

No. 124.

Sir W. K. Green to the Marquis of Salisbury.—(Received March 3, 6 P.M.)

(No. 6.)

(Telegraphic.)

Tangier, March 3, 1889, 1.25 P.M.

YOUR telegram No. 8 not fully decipherable.

Cable is already on, and can be laid without assistance of any repairing ship.

I venture to urge that cable be not laid by force till time is given to Sultan to grant permission. I would suggest that on arrival of ship of war I be directed to inform Minister for Affairs that, unless Sultan's permission is received within ten days, the cable will be laid under protection of Her Majesty's ship, or otherwise under money penalty suggested in my telegram No. 5.

I understand, besides the guards originally placed, additional troops have been placed at Cape Malabat with a Gatling gun. Great caution and determination should therefore be displayed to avoid giving rise to an inconsiderate conflict.

No. 125.

The Earl of Lytton to the Marquis of Salisbury.—(Received March 4.)

(No. 113.)

My Lord,

Paris, March 2, 1889.

I HAVE the honour to transmit herewith copy of a note I received this morning from M. Spuller, in reply to the representations contained in the Memorandum which I addressed to his Excellency's predecessor on the subject of the dismissal of Mr. Levy from the service of the Tunisian Government, a copy of which I forwarded to your Lordship in my despatch No. 83 of the 20th ultimo.

I have, &c.
(Signed) LYTTON.

Inclosure in No. 125.

M. Spuller to the Earl of Lytton.

M. l'Ambassadeur,

Paris, le 28 Février, 1889.

APRÈS les communications échangées, d'une part, entre mon prédécesseur et votre Excellence, d'autre part, entre notre Ambassadeur à Londres et Lord Salisbury, le Gouvernement de la République espérait qu'il n'aurait plus à revenir sur les déclarations qu'il a déjà faites touchant la prétendue obligation qui aurait été imposée par l'Administration Tunisienne aux fonctionnaires étrangers qu'elle emploie, d'opter entre leur nationalité ou leur place.

Dans un Mémoire adressé à M. Goblet le 17 de ce mois, votre Excellence insiste cependant de nouveau sur cette question, et je dois mettre fin à un malentendu qui se repose à mes yeux sur aucun fondement sérieux et qui ne saurait se prolonger sans inconvénient, aussi bien pour vos nationaux dans la Régence que pour le Gouvernement Tunisien.

Voici, en substance, les informations que j'ai réunies, tant auprès de mon collègue de la Justice, qu'auprès de notre Résident-Général à Tunis, que mon prédécesseur avait prié d'ouvrir une enquête sur cette affaire.

Bien loin d'obliger ou même d'encourager les fonctionnaires qui font partie de l'Administration Beylicale à se faire naturaliser Français, le Gouvernement du Protectorat ne transmet à Paris qu'avec une extrême circonspection les demandes de

cette nature qui lui sont adressées en très grand nombre. Cette réserve s'explique par ce fait que la naturalisation Française, tout en étant facilitée dans une certaine mesure aux étrangers qui se sont fixés dans un pays soumis à notre Protectorat, n'est pas moins, votre Excellence le sait, considérée comme une faveur, et n'est accordée qu'aux personnes justifiant de titres et de références exceptionnelles. Parmi les demandes qui ont été soumises ainsi par l'intermédiaire de mon Département au Ministère de la Justice et au Conseil d'État, le plus grand nombre ont été écartées. Un total de vingt-neuf demandes seulement ont été accueillies depuis l'établissement de notre Protectorat, c'est-à-dire, depuis huit années.

Dans ces conditions, vous comprendrez la surprise avec laquelle le Gouvernement de la République s'est vu saisi des réclamations qui lui ont été adressées, soit par l'intermédiaire de votre Ambassade, soit par notre Résident-Général à Tunis, et j'ai dû rechercher avec soin l'origine des allégations qui ont été produites à ce sujet.

En premier lieu, je ne saurais trop répéter combien il est regrettable que le Représentant Anglais à Tunis n'ait pas cru devoir, avant de saisir son Gouvernement de plaintes aussi nouvelles et aussi inattendues que celles dont vous m'entretenez, consulter notre Résident-Général. Il est certainement à votre connaissance qu'aucun effort n'est épargné par nous à Tunis pour résoudre d'une manière conciliante et sur place les difficultés, de quelque nature qu'elles soient, qui peuvent s'élever entre le Gouvernement du Protectorat et les habitants Européens de la Régence sans distinction de nationalité; Mr. Ricketts n'aurait eu, j'en suis convaincu, qu'à s'adresser directement à M. Massicault pour obtenir de lui les éclaircissements qui vont suivre et qui eussent évité à votre Gouvernement d'intervenir dans cette affaire.

Le Gouvernement du Protectorat n'a pas eu la moindre intention de modifier la situation des fonctionnaires étrangers qu'il emploie. Quatre agents seulement—trois Italiens et un Anglo-Maltaise, le Sieur Lévy—se sont trouvés atteints par ce fait que, comme votre Excellence le sait, leurs bureaux sont au nombre de ceux qui doivent fournir aux expéditeurs de produits Tunisiens importés en France des certificats d'origine. Ces certificats, destinés exclusivement à nos Douanes, ne pouvant être délivrés que par des Français, les quatre fonctionnaires en question ont dû renoncer à leur emploi. Cependant, ces agents s'étant acquis par leurs services antérieurs des titres à la sollicitude du Gouvernement, divers moyens de sauvegarder leurs intérêts ont été examinés spontanément par l'Administration Tunisienne. En premier lieu cette Administration a exprimé le vœu que si les agents dont il s'agit formulaient, comme d'autres fonctionnaires venaient de le faire antérieurement, une demande de naturalisation, cette demande fût recommandée à toute la bienveillance de l'Administration Supérieure. C'est cette marque de sollicitude de l'Administration Tunisienne envers ses agents qui a été représentée comme une tentative de pression exercée dans un but politique, et contrairement à toutes les traditions du Gouvernement du Protectorat. Cette interprétation est inexplicable, non seulement en raison des précédents que j'ai mentionnés plus haut, mais encore par ce motif que, si l'Administration Tunisienne avait obéi aux intentions qu'on lui a prêtées, elle avait la faculté de recourir à d'autres mesures qui lui eussent permis, sans donner lieu à aucune réclamation, de substituer des Français aux quatre agents dont il s'agit. L'esprit de modération et de bienveillance dont elle a fait preuve est donc, en réalité, le seul point de départ des accusations injustifiées dont elle a été l'objet.

Le Sieur Lévy, pour me borner à la situation du seul fonctionnaire Anglo-Maltaise qui fasse l'objet de votre Mémoire, le Sieur Lévy ayant manifesté ses intentions de manière à ce que l'Administration des Douanes ne puisse le maintenir à Mehedia, rien n'a été négligé pour compenser le préjudice que cet agent se trouvait éprouver. Il a été décidé que son traitement intégral continuerait à lui être payé, non seulement pendant une année, comme vous en avez été informé, mais pendant dix-huit mois, ce qui équivaut à lui avoir accordé un demi-traitement de disponibilité pendant trois ans. Je ne vois rien que de bienveillant dans cette décision, qui place l'agent en question dans une situation certainement aussi avantageuse que s'il avait appartenu à une Administration Européenne et, pour ce qui concerne la France, ce n'est qu'à titre exceptionnel que nos fonctionnaires jouissent pendant une période aussi longue d'un semblable traitement d'inactivité. Encore ces fonctionnaires ont-ils versé durant toute leur carrière une partie de leurs appointements à la caisse des retraites, et se sont par conséquent acquis des droits auxquels ne sauraient prétendre les fonctionnaires Tunisiens.

Je veux croire que ces éclaircissements permettront à votre Excellence d'édifier le Gouvernement de la Reine une fois de plus sur les intentions amicales dont le Gouvernement du Protectorat n'a jamais cessé d'être animé envers les sujets Britan-

niques, intention dont il donne chaque jour des preuves nouvelles en conservant ou en appelant à son service un nombre considérable d'Anglo-Maltais.

Agréé, &c.
(Signé) E. SPULLER.

No. 126.

Sir C. Ford to the Marquis of Salisbury.—(Received March 5.)

(No. 24.)

My Lord,

Madrid, March 1, 1889.

WITH reference to my despatch No. 21 of the 24th ultimo, relative to the Spanish Military Mission to Morocco, I have the honour to inclose herein translation of a note which I have received from the Spanish Minister of State on the subject.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Inclosure in No. 126.

The Marquis de la Vega de Armijo to Sir Clare Ford.

(Translation.)

Sir,

Ministry of State, February 28, 1889.

I HAVE informed Her Majesty's Government of the note of the 24th instant, in which your Excellency, on behalf of the Government which you represent, requests to be informed whether the information published in certain newspapers respecting the Mission to Fez and Mequinez of the Spanish Military Commission, which was in Tetuan, is correct, and if this Mission has for an object the making of surveys, in which case your Excellency requests that, if it is possible, copies of the same may be furnished to your Government.

In answer, I beg to acquaint your Excellency that, according to information received from my colleague the Minister of War, the Spanish Military Commission has been, in fact, already some time engaged in making the surveys to which your Excellency alludes, and which, being still unfinished, have not yet been communicated to the chief officer in command, for which reason I am unable to supply the copies at present requested by your Excellency; but at the same time, the Minister of War, as well as the Minister of Marine, have charged me to inform your Excellency that they, as a fair return, would be much pleased to receive in their respective Departments any information which Her Britannic Majesty's Government might be able to furnish in regard to the soundings recently made in the Tangier waters by certain ships of the British navy, of which the press has made mention, as also of Captain McLean's mission to the Emperor of Morocco.

In recommending the request of my colleagues in the Cabinet to your Excellency's favourable consideration, I avail, &c.

(Signed) MARQUIS DE LA VEGA DE ARMIJO.

No. 127.

E

The Marquis of Salisbury to Sir W. K. Green.

(No. 19.)

Sir,

Foreign Office, March 5, 1889.

I HAVE received your despatch No. 20 of the 20th ultimo, and I have to convey to you my approval of the terms of the notes, translations of which you inclose, that you have addressed to the Moorish Vizier for Foreign Affairs, in regard to the claims for compensation of the North-West Africa Company against the Sultan on account of the loss of its trade at Cape Juby, and the Sultan's desire to settle the question by the intermediary of a Special Embassy to be sent by His Shereefian Majesty to England.

I am, &c.
(Signed) SALISBURY.

No. 128.

Foreign Office to Consul Ricketts.

(No. 25.)

Sir,

Foreign Office, March 5, 1889.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your despatches Nos. 7 and 10 of the 15th January and 18th ultimo respectively, in regard to real property in Tunis, and to state to you that no action will be taken upon them until the receipt of your reply to his Lordship's despatch No. 10, Confidential, of the 18th January upon the same subject.

The last-named despatch was sent to you by bag, via Malta, on the 6th ultimo.

I am, &c.
(Signed) P. CURRIE.

No. 129.

Consul Ricketts to the Marquis of Salisbury.—(Received March 6.)

(No. 12. Confidential.)

My Lord,

Tunis, February 25, 1889.

I HAVE the honour to inform your Lordship that the floating dock, which has been in process of construction at Bizerta during the last two months, will be set up some time in April. It is of small dimensions, and intended for torpedo-boats or small gun-vessels.

A mine torpedo has been lately placed at some short distance from the shore near the entrance. It being intended some time or other to fortify Bizerta, plans have, I am told, been made of two forts, the one to be constructed on Jebel Kabir, and the other off Cape Guardia; the fire from these would cross on the line of entrance. There are, however, no signs manifested at present of any works of this description being likely to be commenced.

A Contract has, I am told, been made with a certain M. Lesueur for the alteration of the breakwater at Bizerta, a part of which has been washed away, and which, up to the present, has proved of little utility. The Contract is for the small sum of about 200,000 fr. or 300,000 fr.

The Trans-Atlantic steamers will ere long be ordered to touch at the above-mentioned port.

A large staff of officers has lately arrived at Tunis with the view, it is said, of making a geodesical survey of the Regency.

I have, &c.
(Signed) G. T. RICKETTS.

No. 130.

Consul Ricketts to the Marquis of Salisbury.—(Received March 6.)

(No. 13.)

My Lord,

Tunis, February 27, 1889.

WITH reference to my despatch No. 10 of the 18th February, I have the honour to transmit herewith inclosed an extract of the case submitted in appeal to the Court of Algiers, from which it appears that the Court of Tunis was held incompetent. It will, however, be noticed that this was a matter in which the parties to the suit were both Tunisians and not foreigners.

I have, &c.
(Signed) G. T. RICKETTS.

Inclosure in No. 130.

Extract from the "Tunis-Journal" of February 26, 1889.

UN JUGEMENT DE LA COUR D'APPEL D'ALGER.—Il y a quelques jours, le bruit circulait en ville que la Cour d'Appel d'Alger avait contesté au Tribunal de Tunis la compétence en matière immobilière.

Cette nouvelle étant d'une gravité extrême pour la Tunisie, nous publions ci-dessous le Jugement qui a donné naissance à ce bruit.

Nous ferons remarquer que les faits ont été exagérés et que, dans l'espèce, il ne s'agit pas simplement d'une question immobilière, mais bien d'une question immobilière compliquée d'une question religieuse et d'une question de statut personnel.

Ce document étant de nature à intéresser nos lecteurs, nous le publions *in extenso*.
J. M.

COUR D'APPEL D'ALGER.

Audience Publique du 26 Janvier, 1889.

Entre: (1) La Dame Salah-bent-Ahmed-ben-Ali, veuve Sidi Ahmed-ben-Amor Karkouba; (2) Abderrhaman-ben-Ahmed-ben-Amar, appelants, d'une part;
Et (1) La Dame Salah-bent-Ahmed Garsallah, épouse divorcée d'Ali-ben-Naceur, à Tunis; (2) La Dame Halima-bent-Ahmed Garsallah, épouse divorcée du Sieur Embarek-ben-Khemzar, intimées, d'autre part.

La Cour,

Où, &c.

Attendu que l'appel est régulier et recevable en la forme;

Sur la compétence:

Attendu que Salah et Halima-bent-Ahmed Gharsallah, sujets Tunisiens, se prétendant dévolutaires, à défaut de descendants mâles, d'un "habbous" constitué par le Cheik Gharsallah sur un immeuble dit El-Kelbia, ont assigné devant le Tribunal de Tunis les consorts Karkouba, également sujets Tunisiens;

1. En paiement de loyers échus, en vertu d'un bail à "kirdar" de l'immeuble "habbousé";
2. En nomination d'experts pour estimer la plus value de cet immeuble pendant les six dernières années;

3. En déguerpissement;

Attendu que les consorts Karkouba ont contesté aux demanderesses la qualité de dévolutaires du "habbous" et opposé à la demande en déguerpissement leur droit, fondé sur les règles du contrat de "kirdar," de jouir de l'immeuble tant que dureront les constructions qu'ils y ont élevées;

Attendu que le "kirdar" est un contrat qui a pour effet de donner au preneur un droit d'établissement sur la superficie d'un immeuble inaliénable par suite de fondation pieuse, moyennant une redevance variable suivant que l'immeuble acquiert une plus-value ou subit une moins-value;

Attendu que le litige dont le Tribunal était saisi avait, dès lors, pour objet, à la fois, l'application d'un droit immobilier et l'interprétation de la loi religieuse Musulmane en matière de "habbous";

Attendu que l'établissement du Protectorat Français en Tunisie n'a pas aboli la souveraineté du Bey;

Que la France et le Bey y exercent leur souveraineté dans leurs sphères respectives, déterminées par les Traités Internationaux;

Que la juridiction Française instituée en Tunisie est une émanation de ces deux Puissances distinctes;

Que la Loi du 27 Mai, 1883, qui a organisé les Tribunaux Français dans la Régence, a délimité leur compétence en conséquence de cette double origine en disposant qu'ils connaîtraient de toutes les affaires, civiles et commerciales, entre Français et protégés Français, et que leur juridiction pourrait être étendue à toutes autres personnes par Décrets ou Arrêtés de Son Altesse le Bey, rendus avec l'assentiment du Gouvernement Français;

Que, conformément à cette dernière disposition, un Décret du Bey, en date du 5 Mai, 1883, a décidé que les sujets des Puissances étrangères, dont les Cours Consulaires dans la Régence seront abolies, deviendront justiciables de ces Tribunaux aux mêmes conditions que les sujets Français;

Que, par un autre Décret du 31 Juillet, 1884, le Bey a étendu la juridiction des mêmes Tribunaux à toutes les affaires civiles et commerciales dans lesquelles des Européens seront en cause, dans les matières où ils sont compétents actuellement lorsque des Européens sont défendeurs;

Mais que, par aucun Décret ou Arrêté, il ne leur a attribué compétence en matière immobilière entre sujets Tunisiens et que, par ce Décret précité du 31 Juillet il a expressément réservé aux Tribunaux religieux le règlement des contestations relatives au statut personnel des mêmes sujets Musulmans ou Israélites;

Attendu, en conséquence, que le Tribunal de Tunis était incompétent pour connaître du litige qui lui était soumis par les consorts Gharsallah;

Que cette compétence, touchant à l'ordre des juridictions instituées en Tunisie et aux Traités Internationaux, est essentiellement d'ordre public et peut être opposée en tout état de cause;

Attendu que, vainement, les intimés objectent que les questions de droit immobilier et de statut personnel religieux soulevées en la cause ont été définitivement tranchées par le Jugement du 27 Octobre, 1886, qui serait passé en force de chose jugée par le désistement d'appel des consorts Karkouba, et que, par suite, les premiers Juges ne restaient saisis que d'une demande purement personnelle et mobilière pour laquelle l'exception d'incompétence ne pouvait être opposée que *in limine litis*;

Que cette objection n'est point fondée;

Que, en effet, il résulte de l'acte extra-judiciaire, signifié à la requête des appelants, le 11 Février, 1887, que ceux-ci n'ont consenti à l'exécution du Jugement interlocutoire du 27 Octobre, 1886, qu'en faisant leurs réserves expresses d'interjeter appel en même temps que du Jugement sur le fond,

Par ces motifs:

Reçoit en la forme l'appel des consorts Karkouba, et y faisant droit au fond, infirme le Jugement déferé;

Dit que le Tribunal de Tunis était incompétent pour connaître de l'action intentée par les intimés, et renvoie les parties à se pourvoir devant telle juridiction que de droit;

Ordonne la restitution de l'amende consignée sur l'appel, et condamne Salha et Halima-bent-Ahmed Gharsallah en tous les dépens de Première Instance et d'Appel.

No. 131.

The Marquis of Salisbury to Sir W. K. Green.

(No. 9.)
(Telegraphic.)

Foreign Office, March 6, 1889.

YOUR telegram No. 6: Tangier cable.
Admiralty requested to instruct Commander of "Curlew" to report as to his power of protecting repair of cable.
Take no action until receipt of further instructions.

No. 132.

Foreign Office to Admiralty.

(Confidential.)
Sir,

Foreign Office, March 6, 1889.

WITH reference to your letter of the 27th ultimo, I am directed by the Marquis of Salisbury to acquaint you that, from information received, it appears that the telegraph-ship "Electra" has left Moorish waters, and is now on her voyage to London.

Her Majesty's Minister at Tangier, however, reports that the cable is already on, and can be laid without the assistance of any repairing-ship.

Sir W. K. Green urges that the cable be not laid by force until time is given to the Sultan of Morocco to grant permission, and suggests that on the arrival of the ship of war he should be directed to inform the Moorish Minister for Foreign Affairs that, unless the Sultan's permission is received within ten days, the cable will be laid under the protection of Her Majesty's ship.

Sir W. K. Green understands that, besides the guards originally stationed there, additional troops have been placed at Cape Malabat, with a Gatling gun, and that great caution and determination should therefore be displayed to avoid giving rise to an inconsiderate conflict.

I am to request that in laying this letter before the Lords Commissioners of the Admiralty you will move their Lordships to cause the Commander of Her Majesty's

ship "Curlew" to be instructed, in view of the facts stated by Sir W. K. Green, to report as to his power of protecting the cable in the event of a resort to force.

I am, &c.
(Signed) P. CURRIE.

No. 133.

The Earl of Lytton to the Marquis of Salisbury.—(Received March 7.)

(No. 118.)

My Lord,

Paris, March 4, 1889.

IN my despatch No. 113 of the 2nd instant, I had the honour to transmit to your Lordship a copy of a note which I had just received from M. Spuller in reply to my representation on the subject of the dismissal of Mr. Levy from the Customs Administration of Tunis, and I now beg to inform your Lordship that in conversation with M. Charmes this evening I informed him that I could not conceal my surprise that after the assurances which had been given to me by M. Goblet, and which I recorded in my note of the 17th February to the French Government, a reply couched in language somewhat unusual in an official note should have been addressed to me for transmission to Her Majesty's Government. I said that the reply of the French Government contained no answer to my complaint, that the treatment to which Mr. Levy had been subjected was not in accordance with M. Goblet's assurances, and that the observations as to what would have been the treatment of French functionaries in similar circumstances was entirely outside of the question at issue. Mr. Levy, a British subject, against whom no complaint of any kind was made, was dismissed from a permanent post with a trifling compensation allowance because he had not unnaturally declined to abandon the nationality of which he was born. This was the plain fact. I was quite prepared, as I had stated to M. Goblet, to recognize that from motives of expediency the French Government might think it advisable that special posts should be occupied by Frenchmen, but his Excellency had stated to me that if such steps were found necessary, provision would be made for the employment of these officials elsewhere. This engagement had not been complied with, and it was on this that my remonstrance was founded.

M. Charmes again alluded to the want of cordiality in the relations between the French residents and Her Majesty's Consul, to which he attributed the recurrence of these incidents, but he added that if Her Majesty's Government would be satisfied with the assurance that between this and the expiration of the eighteen (not twelve) months during which Mr. Levy would be on full pay, some other post would be found for him; he thought that the French Government would be prepared to make this concession.

I am not aware whether such an agreement would be agreeable to Mr. Levy, who I believe resides permanently at Mehedia, and I therefore await your Lordship's instructions as to whether this proposal of M. Charmes affords ground for a satisfactory settlement of the question.

I have, &c.
(Signed) LYTTON.

No. 134.

Admiralty to Foreign Office.—(Received March 8.)

(Confidential.)

Sir,

Admiralty, March 7, 1889.

WITH reference to your letter of the 6th instant and to previous correspondence respecting the repair of the Tangier telegraph-cable and the opposition of the Moorish authorities, I am commanded by my Lords Commissioners of the Admiralty to request that you will state to the Marquis of Salisbury that the Commander of Her Majesty's ship "Curlew" will be ordered, after consultation with Her Majesty's Minister at Tangier, to report as to his powers of protecting the cable in the necessity of having to resort to force.

I am, &c.
(Signed) EVAN MACGREGOR.

No. 135.

Sir J. Drummond Hay to the Marquis of Salisbury.—(Received March 9.)

Ravensrock, Tangier, February 28, 1889.

My Lord,

I HAVE the honour to acknowledge the receipt of a despatch from Sir Julian Pauncefote, referring to my despatch No. 63 of the 6th August, 1885, transmitting, by your Lordship's direction, a copy of a letter from Mr. C. Rolleston respecting an action for libel now pending against him at the instance of Dr. Schmidl, and requesting me to furnish your Lordship with any observations I may wish to offer upon this case.

I observe, in the copy of Mr. Rolleston's letter addressed to your Lordship on the 9th instant, that he has begged your Lordship to obtain for him copies of the proceedings against Dr. Schmidl held before my Court when acting as Agent-General for Austria-Hungary, and of other papers relative to this case.

On the arrival of M. Reglia von Ohmucevic, as Chargé d'Affaires and Consul-General for Austria-Hungary, I delivered to him the archives of the Imperial and Royal Agency, and amongst them the correspondence that had taken place with Dr. Schmidl, and other documents respecting the charges made against him by Moorish subjects.

On a reference to my papers I have not found any record of what took place at that time, except the translation of a letter addressed to me by certain Austrian subjects (who were present at the inquiry that took place before me in 1885), of which I transmitted a copy to your Lordship in my despatch of the 6th August, 1885.

When I was at Copenhagen in July 1887 I received a letter from Mr. Rolleston, dated Tangier, the 12th July, in which he writes:—

"Dr. Schmidl has taken proceedings against me (Mr. Rolleston) for libel, and laid damages at 15,000 dollars. The case does not seem to me to be serious, and I have reason to believe it is merely one of vexatious litigation. He sues me on a telegram which, as it happens, I did not send or inspire. I am inclined to think he has been put up to it by Meakin."

On my arrival in town I found two other letters from Mr. Rolleston, dated the 11th and 12th July, requesting me to provide him with copies of documents regarding the charges made against Dr. Schmidl at the inquiry held before me. Mr. Rolleston also informed me that "Mr. Meakin had printed for Dr. Schmidl a pamphlet,* containing the correspondence of the latter with you (J. H. D. H.), and also certain very disparaging remarks relative to you."

In my reply I informed Mr. Rolleston that, as I had handed over to the Austrian Chargé d'Affaires on his arrival the archives of the Imperial and Royal Mission, with all papers regarding the case of Dr. Schmidl, I could not provide copies of the documents he (Mr. Rolleston) had asked for.

I further informed him that, with reference to the pamphlet which he (Mr. Rolleston) had learnt Messrs. Schmidl and Meakin had printed, containing correspondence or documents regarding this case, "it was perfectly immaterial to me whether such a pamphlet was published or not, and that it was my firm intention, if I returned to Tangier to pass the winter, to avoid being mixed up in any way with Schmidl's or Meakin's proceedings, and those of their coadjutors or opponents."

On my arrival in town in August 1887, Mr. Davis called at the Travellers' Club to see me, on the part of Sir John Pender, in consequence, as he said, of Dr. Schmidl having brought a charge against the Eastern Telegraph Company for libel published in a telegram from Tangier about him, and requesting, if the case came on for trial, I should appear before the Court and give evidence. I informed Mr. Davis, as I had already done Mr. Rolleston, that I was not in possession of any documents upon this case, and that the only evidence I could give was that, during the twenty-five years when Dr. Schmidl had been my subordinate Consular officer, I had received constant complaints, both on the part of the Moorish Government and from Moorish subjects, of his unjust and irregular conduct, and that in 1868, in consequence of the trouble and vexatious questions Dr. Schmidl had given me, I had tendered my resignation to the Government at Vienna, which, however, was not accepted, but the Imperial and Royal Government had reprimanded Dr. Schmidl, and offered, if I so desired, to withdraw him.

I have heard nothing further from Sir John Pender or Mr. Davis, so I conclude that Dr. Schmidl has dropped further proceedings against the Eastern Telegraph Company.

* Meakin is editor of the "Morocco Times," and has a printing press at Tangier. Meakin was Schmidl's adviser.

Up to the present day I am not acquainted with the wording in the telegram upon which Dr. Schmidl sues Mr. Rolleston for libel in the Supreme Court at Gibraltar.

I have learnt since my return here last November that the Austrian Chargé d'Affaires, M. de Reglia, had not taken any steps to reopen a Consular Court to hear the charges which had been brought before me by the Moor Shwaty (who for seven years had been a sort of bailiff in Dr. Schmidl's employment) of having been deprived unjustly of his land by Dr. Schmidl, or other charges of natives against him for alleged acts of injustice which had been brought before me, but that M. Reglia had arranged, in accordance with Dr. Schmidl's request, that Cid Mohammed Torres, the Moorish Minister, should hear the charges which Dr. Schmidl had to bring against Shwaty. The result of this inquiry was, I understand, that Shwaty was condemned to imprisonment, and has since died. No inquiry was made about the land of Shwaty in Dr. Schmidl's possession, neither was any reference made to the Basha or Kadi regarding the validity of the title-deeds said to be possessed by Dr. Schmidl, and which the Basha, four years ago, informed me were invalid, as the land in question belonged to the Government, and was held by Shwaty as a militiaman, for military services, and could not be parted with except to one of his own tribe, who would be required to serve when called upon by the Government.

It was an irregular and unprecedented proceeding for the Minister of Foreign Affairs to hear charges made by a foreign subject against a native, or *vice versa*, unless in cases of appeal, as laid down by Treaty.

When Shwaty appeared before me he had stated that he had been employed by Dr. Schmidl to purchase cheap oxen from cattle-lifters, which Dr. Schmidl resold for exportation; that in consequence of complaints of the owners of the stolen cattle he had been arrested and thrown into prison by the Basha; that Dr. Schmidl had requested him, when in prison, to keep matters quiet, and that he would have him released, which was effected after six months' imprisonment; and that Dr. Schmidl having declared he had paid various sums to the authorities to obtain his (Shwaty's) pardon, he required repayment.

As Shwaty had no money, he said he gave over part of his land to Dr. Schmidl, and that subsequently forged title-deeds had been prepared by a notary, declaring that all the land of Shwaty had been sold to Dr. Schmidl.

It was during the hearing of such statements from Shwaty before the Consular Tribunal I had formed when he declared he was a "haramy," or rascal, for he had purchased cheap cattle by direction of Dr. Schmidl from robbers. Yet what he had to call attention to was the fact that when he entered, seven years before, in Dr. Schmidl's service to obtain foreign protection he was then comfortably off, being in possession of land and four pairs of oxen. "Now," he added, "I have neither land nor oxen, nor anything in the world but the clothes on my back."

It was during this part of the inquiry, when I was about to call Shwaty's witnesses, that Dr. Schmidl left the Court abruptly and sent me an absurd protest.*

Cid Mohammed Torres, the Minister for Foreign Affairs, was probably led to condemn Shwaty to imprisonment, without a searching inquiry, from the fact of the man having acknowledged his guilt† in purchasing stolen cattle for Dr. Schmidl, which the latter declared he was not aware had been stolen.

The chief reason which I am inclined to believe had induced Dr. Schmidl to urge M. Reglia to bring his case before Cid Mohammed Torres was that the latter was greatly indebted to Dr. Schmidl, from the fact of his having attended on him, gratis, during a long illness. I am not surprised, therefore, that the Minister should have acquitted Dr. Schmidl, and condemned the wretched Moor.

Many of the natives of Shwaty's village had also received much kindness from Dr. Schmidl from his attendance on them, gratis, during illness, and those persons, I am told, came forward to give evidence before Cid Mohammed Torres against Shwaty.

If the trial of Mr. Rolleston for libel takes place before the High Court at Gibraltar, I expect that Dr. Schmidl will be able to produce ample evidence of his innocence of past charges made against him by Shwaty, and of the condemnation by the Moorish Minister of those who had brought them forward.

I hear also that Dr. Schmidl has obtained numerous documents from natives as evidence of his never having acted unjustly or harshly towards them. Such documents can easily be obtained in this country at less than a penny a line.

I do not suppose that either the Government of Vienna or the Chargé d'Affaires and Consul-General here will be disposed to provide Mr. Rolleston with a copy of the

* See Inclosure in No. 63, 1885.

† As he had also done before me.—J. H. D. H.

report which I had transmitted to the Government at Vienna, or other papers in the archives of the Imperial and Royal Mission at Tangier regarding the case of Dr. Schmidl's past misconduct; and, indeed, even if they agreed to do so, I do not suppose it would affect the charge of libel, except so far as to furnish proofs that Dr. Schmidl was an unprincipled person, and that his misconduct and irregular acts had been a frequent source of complaint on the part of the Government of the Sultan and of Moorish subjects.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 136.

Sir W. K. Green to the Marquis of Salisbury.—(Received March 9.)

(No. 23.)

My Lord,

Tangier, February 28, 1889.

REPORTS reaching me from all sides that the Moorish authorities along the coasts of this country had collected bands of mountaineers and some of their peasant soldiery for the alleged purpose of sending these levies to prevent an expected landing at one of the seaports of Morocco under British auspices of a submarine telegraph cable, and knowing that Admiral Baird was cruising in Maroquine waters with the Channel Squadron, and that Captain St. John proposed shortly to visit Tetuan for recreative purposes, these reports filled me with the greatest anxiety lest some of the ignorant peasant levies should, under a misapprehension of the appearance of British shipping near the shores of these regions, be impelled to attack our seamen to endeavour to prevent their landing, and thus bring about a lamentable conflict. I, therefore, hastened to address the Moorish Commissioner for Foreign Affairs the note of which the accompanying is a translation, in order to avert any dangers which might arise through the injudicious proceedings of the local authorities, and which, I felt confident, could only have been ordered by the Sultan under reports reaching him from Tangier.

Yesterday my Italian colleague, who, as usual, appears to take an inordinate interest in all matters pending between this Government and the British Legation, called upon me and inquired whether it was true that I had, under your Lordship's instructions, addressed an ultimatum to the Moorish Government calling upon it to abstain from all further obstruction in the matter of the Gibraltar-Tangier telegraph cable. I gave Signor Cantagalli a positive and reassuring negative to his question, and then went on to explain to him my alarm at the extraordinary proceedings already described, telling him that I had felt obliged to officially address Hadj Mohammed Torres on the matter. I also told M. Cantagalli that I had reason to suppose that the rumours of an intention to land a telegraph cable had emanated from some of the foreign Legations in Tangier. My Italian colleague rated me for not having sufficient confidence in him, and applying to him for his assistance. I frankly told him that I was unable to hold him quite free from all connection with these rumours, but that I certainly felt that as he was perfectly aware of all that the Moorish authorities were doing it was his duty as the Representative of a Government friendly to both England and Morocco to exert his influence with the Moorish Government to bring to an end its offensive proceedings.

Señor Diosdado to-day called upon me and afforded me an opportunity of equally explaining to him the dangerous nature of the Moorish action. He at once adopted my serious appreciation of the situation, and offered to go there and then and use his influence with Cid Hadj Mohammed Torres to put a stop to further unjustifiable measures of precaution. I gladly accepted of my Spanish colleague's co-operation, and said that I should have been equally glad if it could have been afforded me by any other of my colleagues. Later in the afternoon I received Señor Diosdado's note of which the inclosed is a translation, by which your Lordship will observe that his action with the Moorish Commissioner was most satisfactory, and that it justified a very warm acknowledgment on my part.

Under these circumstances I have every hope that all danger that existed from the adoption of the before-described Moorish proceedings has been averted, and that my action will not meet with your Lordship's disapproval.

I have, &c.
(Signed) W. KIRBY GREEN.

P.S.—Since I wrote the above Señor Diosdado has communicated to me for my perusal the Report he has addressed to his Government on the above matter. In it he reviews the action of the Moorish authorities in the present instance in terms very similar to those used by me in this despatch. He justifies his action on the ground that one of the principal aims of Spanish policy in this country is to restrain the Moorish Government from a course which would be likely to estrange it in any manner from its friendship with Her Majesty's Government.

W. K. G.

Inclosure 1 in No. 136.

Sir W. K. Green to Hadj Mohammed Torres.

(Translation.)

(After compliments.)

February 27, 1889 (26 Jumad II, 1306).

REPORTS reach me from all sides, which have caused me considerable surprise, that the Moorish Government on the sea-coast of the Empire have assembled bodies of mountaineers and other undisciplined soldiers for the avowed purpose of resisting an expected British attempt to land a British telegraph cable on some point of the Moorish coast.

These proceedings are so extraordinary and fraught with danger that I feel it my duty to inform your Excellency at once that I can only look upon your Excellency as being the source and cause which has led the Sultan to assume such a public and offensive attitude against his old ally, Great Britain. I cannot believe that the Sultan has acted except on information received from you, for it was your Excellency's undoubted duty, when the idle reports concerning the alleged intention to land a new cable reached you, to have observed the forms which are followed between friendly and properly constituted Governments, that is, it was your Excellency's bounden obligation to have had recourse to me for confirmation or denial of such an intention, instead of alarming His Majesty by sending him the idle and mischievous rumours prevailing in this ill-informed town. You would then have received from me the same assurances as you also already held from Her Majesty's Consul, both in writing and verbally, that there was absolutely no intention to do anything else than to repair the already existing submarine cable, with the knowledge and sanction of the Moorish Government. I may here avail myself of the opportunity to confirm the formal assurances of Her Majesty's Consul, and to remind you that even the first submarine cable was not laid until the Sultan had been informed by my letter of the 10th November, 1886 (14th Seefer, 1304), two or three months prior to its accomplishment, that the cable was about to be established. The silence with which the Sultan treated my notice does not prevent its having been duly given. The notorious incapacity of the Moorish officers and soldiers to properly interpret the Sultan's orders render the inconsiderate measures now adopted of the greatest danger. Your Excellency is perfectly aware that it is in the habit of Her Majesty's ships of war to visit certain points of the Moorish coast for the purposes of sport and recreation for their crews and officers, and that seamen from merchantmen are not infrequently stranded or landed on the shores from various causes. Under these circumstances, it would not be at all an impossible thing for the ignorant mountaineers to mistake the English seafaring men as connected with the laying of the cable the landing of which they have been ordered to resist, and thus to bring about a conflict. I must, therefore, inform your Excellency that you will assuredly be held personally responsible, through your neglect to properly inform the Sultan, for whatever untoward incidents may arise in connection herewith.

Your Excellency will better understand the serious view I take of this matter when you recall to mind that the unfortunate killing and wounding of Englishmen at Tarfaya arose simply from the misapprehension of the Sultan's orders by some of his regular officers and soldiers. I send you this note under the sense of the greatest responsibility, and therefore beg you to acknowledge its receipt, by writing immediately informing me that you have forwarded a copy of it to the Court by special courier for the Sultan's consideration.

Peace.

(Signed) W. KIRBY GREEN.

Inclosure 2 in No. 136.

Señor Diosdado to Sir W. K. Green.

(Translation.)

Dear Friend,

February 28, 1889.

A COURIER is being dispatched in order that orders may be given for withdrawing, and that all alarm may cease.

In the meanwhile, I am assured that nothing will take place that may give rise to a complaint.

To-morrow I shall have the pleasure to see you.

Yours, &c.

(Signed) J. DIOSDADO.

No. 137.

Sir W. K. Green to the Marquis of Salisbury.—(Received March 9.)

(No. 24.)

My Lord,

Tangier, February 28, 1889.

I HAVE the honour to report to your Lordship that the Special Embassy which had been dispatched by the Sultan of Morocco to the Emperor of Germany reached Tangier to-day from Genoa by the Italian steamer "Duque de Galliera," of the Veloce Line, on their return to the Shereefian Court.

I have, &c.

(Signed) W. KIRBY GREEN.

No. 138.

Sir W. K. Green to the Marquis of Salisbury.—(Received March 9.)

(No. 25. Confidential.)

My Lord,

Tangier, March 1, 1889.

WITH reference to the recent newspaper reports that the Sultan of Morocco had made a territorial cession to Germany in the direction of the River Moulouyia on his Algerian borders, I have the honour to inform your Lordship that Señor Diosdado stated to me yesterday that having been questioned on the matter from Madrid, he had received most formal assurances from Cid El Hadj Mohamed Torres that the Sultan had never made, nor would ever make, any territorial cessions whatever to Germany or to anybody else.

I may state to your Lordship, however, that the present undoubted feverish desire of both Germany and Italy to assume an active part in the affairs of this Empire can only have a tendency to embroil, through a natural feeling of jealousy, this Government with that of France.

I have, &c.

(Signed) W. KIRBY GREEN.

No. 139.

Sir W. K. Green to the Marquis of Salisbury.—(Received March 9.)

(No. 26. Confidential.)

My Lord,

Tangier, March 1, 1889.

THREE days ago a Havas telegram reached this from Paris announcing that Señor Diosdado, the Spanish Representative here, had been recalled, and was to be succeeded by Señor Figueras. This announcement, owing to Señor Diosdado's pronounced retrograde views with regard to the necessity of progress being introduced into Morocco, was received with general satisfaction, though I must admit to your Lordship that whilst sharing in the popular estimate of my colleague's policy, still, owing to Señor Diosdado's most courteous, gentlemanly, and straightforward character, I could not but feel considerable regret at learning that I was about to be deprived of the advantage of a Spanish colleague of such rare national qualifications.

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Later in the day, when Señor Diosdado called on me, I admitted to him that though he and I took different views as to the manner in which this Government should seek to acquire for itself the good-will of the civilized world, yet I would always bear a most agreeable recollection of his loyal intercourse with me. He then said to me that he had heard from the Marquis Vega de Armijo that notwithstanding there was a question of his being transferred from Morocco, still nothing had yet been decided.

I have learnt that letters exist in Tangier, written by M. Campillo, a highly-placed confidential functionary of the Madrid Foreign Office, in which he states that Señor Diosdado's recall is connected with that of Count Benomar, from Berlin, and that the Spanish Cabinet consider that their Representative here was in league with Señor Merry's endeavours to bring about a closer connection than had hitherto existed between the German and Moorish Governments.

I must not omit to mention to your Lordship that Señor Diosdado has in past times often stated to me that if he should at any time be removed from Tangier by his Government, I should have to regard his removal as a sign that an arrangement had been arrived at between Spain and France as to the future of Morocco.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 140.

Mr. White to the Marquis of Salisbury.—(Received March 9.)

(No. 8.)

(Telegraphic.)

TANGIER cable.

"Curlew" arrived this afternoon. Captain has consulted with me, and has returned to Gibraltar to report to Admiral, and await further instructions. He concurs in opinion that should it be necessary to repair cable without the permission of Sultan a greater display of force would be more likely to prevent resistance being offered.

Should your Lordship approve suggestion contained in Sir K. Green's telegram No. 6, it is advisable that the communication to the Minister for Foreign Affairs be made soon, so that appointed term may expire before the squadron leaves for England, about 25th instant.

No. 141.

Admiralty to Foreign Office.—(Received March 9.)

(Confidential.)

Sir,

Admiralty, March 9, 1889.

WITH reference to your letter of this day's date, I am commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, the decypher of a telegram dated this day from the Vice-Admiral commanding the Channel Squadron at Gibraltar, and my Lords will be glad to learn if Lord Salisbury wishes any further action to be taken in this matter.

I am, &c.
(Signed) EVAN MACGREGOR.

Inclosure in No. 141.

Vice-Admiral Baird to Admiralty.

(Telegraphic.)

Gibraltar, March 9, 1889, 2.40 P.M.

TELEGRAPH cable requires repair, Tangier; is $1\frac{1}{2}$ mile of shore telegraph cable, about 100 yards from the beach, which at present Moors will not allow, and intend resisting by force. "Curlew" could do nothing. I am leaving on a cruise. Communication kept by "Curlew."

No. 142.

Sir W. K. Green to the Marquis of Salisbury.—(Received March 11.)

(No. 27. Confidential.)

Tangier, March 4, 1889.

My Lord,

WITH reference to my despatch No. 23 of the 28th ultimo, I have the honour to transmit herewith a translation of the reply which I have received from Hadj Muhammad Torres to the remonstrances I had addressed to him regarding the unprovoked measures adopted by the Moorish authorities against the expected landing of a submarine cable.

Your Lordship will observe that the tone of the Moorish Commissioner's reply is not at all a conciliatory one.

Shortly after my receiving this reply Señor Diosdado called upon me, and on his referring to me about the cable question, I could not abstain from mentioning to the Spanish Representative that the reply of the Moorish Commissioner to my assurances, that there was no intention of endowing Morocco with a further submarine cable, had been availed of by the Maroquine Minister to reopen the discussion of a matter which, under your Lordship's instructions, he was well aware had to be considered by me as a closed question. I said to M. Diosdado, that these persistent efforts of the Moorish functionaries to mark a divergence of views between the Governments of Great Britain and Morocco could only end in weakening the political position of the latter country in the public estimation. Señor Diosdado was well aware that Her Majesty's Government were still attached to their traditional determination to maintain the territorial integrity of this Empire, and that every course which tended to obliterate this impression of British policy from the conviction of Governments not holding the same views could only tend to deprive the Shereefian Government of one of its most efficacious safeguards. I showed Señor Diosdado how, in all recent hostile operations and encroachments on Morocco, it was principally British action which had stood between Morocco and her despoilers. I alluded to British intervention during the Hispano-Moorish war, to its stand against the Ordega machinations, to the French assurances secured of no intentions of conquest in the direction of Figuig, to the admission obtained from Spain that it had no rights over Peregil Island—all these advantages the Sultan would have been utterly incapable of securing for himself without British co-operation, and therefore he was now pursuing a suicidal policy which was much more likely to bring about revolt among his people, who are much more attached to the traditional connection between England and Morocco than His Shereefian Majesty is at all aware of, than timely and friendly concessions to the wishes of the British Representative.

In justice to myself, I think it right to recall to your Lordship's mind that this irritating and unfriendly policy of the Shereefian Court towards Her Majesty's Minister commenced in the time of my predecessor, and cannot be attributed solely to my action. It may, however, no doubt be largely attributed to the Sultan's Oriental susceptibility to a display of strength and energy on the part of other Governments, and to a love of novelty; both these causes leading Mulai Hassan to endeavour to secure a portion of this strength and energy by attaching himself to the support of Germany and Italy, who have quite dazzled him by their apparent disregard of French susceptibilities, France having hitherto been considered, owing to its possession of Algeria, as the strongest Power in existence.

Señor Diosdado quite concurred in my present appreciation of the state of affairs. I therefore thought it well to urge him to assist me in conveying these views of the false path into which the Sultan has engaged himself to His Shereefian Majesty's Commissioner for Foreign Affairs, in order to leave no stone unturned for bringing to an end a policy which will inevitably sap the foundation upon which British support of the Maroquine *status quo* stands. My Spanish colleague promised me to represent the matter most seriously to Cid El Hadj Muhammad Torres, and I have since received the note from him, of which the inclosed is a copy, assuring me that he had lost no time in acting in the sense promised me, for which assurance I have not failed to convey to Señor Diosdado my grateful thanks.

I also beg to inclose herewith a translation of the reply which I have considered it advisable to address to Cid Muhammad Torres in connection with his Excellency's note, for I have thought it desirable to check at once the attempt to reopen the discussion regarding the existence of the Gibraltar-Tangier submarine telegraph cable.

I have, &c.
(Signed) W. KIRBY GREEN.

Inclosure 1 in No. 142.

Hadj Muhammad Torres to Sir W. K. Green.

(Translation.)

(After compliments.)

I HAVE received your letter of the 27th February, 1889, corresponding to the 26th Jumadi II, part of which is to the effect that you had learnt with the greatest surprise that the authorities of the Government on the coasts had increased the guards in order to prevent an expected landing of the cable at a point of the coast of Morocco, and that this is an extraordinary proceeding and fraught with danger, which rendered it incumbent upon your Excellency to immediately acquaint me that you regard nobody but me as the source whence His Majesty the Sultan has been induced to take this public and offensive attitude towards his old ally, Great Britain, as you have no doubt that the motive of this action is the information which has reached the Sultan from me, and the fact that I have reported to His Majesty idle rumours, and you assert positively that you have no doubt that I shall be held personally responsible for the untoward consequences that may ensue from what has been stated, owing to my neglect to properly inform the Sultan, and thus to the end of your statements.

I have taken them all into my consideration, and I am able to inform your Excellency that I do not stoop to occupying myself with idle things personally, much less do I report such to His Shereefian Majesty the Sultan; but that as regards my service with the Shereefian Court, no one is able to judge of the reports which I send to, or the instructions I receive from, His Majesty on the strength of mere assumption, nor base a discussion thereon on such a foundation. I will volunteer to assure your Excellency that the matter is not as you suppose, viz., that I am the source of that (? of idle rumours, or of rumours which have actually reached His Shereefian Majesty), and that I am not able to report to the Sultan what I have not ascertained with perfect reliability. The only cause to which I can ascribe the instructions given to the Governors of the coast is, that the Sultan has taken measures of precaution to ward off encroachment on his territory, whence discontent, insurrection, and disturbance would arise among his subjects, and to prevent the consequences which might ensue therefrom, which his old ally and friend the British Government, the exalted, the honoured, would not be pleased with, nor acquiesce in. Your Excellency is aware of what occurred at the time before the laying of the first cable on the coast of Tangier, in violation (of His Majesty's rights) without the Sultan's acquiescence or sanction. His Majesty has always continued up to the present to renew negotiations about the laying of the original cable on his territory without his acquiescence or sanction, and to ask for justice, in the conviction that his old ally, the British Government, will do him justice in this matter, and will not approve of a violation of his territory, nor the exercise of rights in it, without his consent and permission.

I have sent a copy of your letter to the Shereefian Court.

(Signed)

MUHAMMAD TORRES.

27 Jumadi II, 1306 (February 28, 1889).

Inclosure 2 in No. 142.

Señor Diosdado to Sir W. K. Green.

Mars 3, 1889.

Cher Collègue et Ami,

CONSEQUEMMENT à notre entretien de l'autre jour j'ai fait les démarches que je crois les plus efficaces pour obtenir ce que nous proposons sur la nécessité de maintenir les relations les plus cordiales entre le Maroc et les Puissances évidemment intéressées dans la conservation du *statu quo* territorial.

Veuillez croire, comme je vous ai dit, que ce procédé m'est imposé par nos intérêts politiques, quoique les absurdités des journaux fassent croire à quelqu'un, pas certainement à vous, qui ne me croyez pas si insensé, ou si stupide, autre chose.

Tout à vous,

(Signé) DIOSDADO.

Inclosure 3 in No. 142.

Sir W. K. Green to Hadj Muhammad Torres.

(Translation.)

(After compliments.)

I HAVE duly received your letter of the 27th Jumadi II (28th ultimo), in which, replying to my letter of the previous day, you assure me that you have not reported to the Sultan the absurd and malevolent rumours regarding the cable, but you add that you attribute the Shereefian orders for placing guards along the coasts of this country to the intention of His Shereefian Majesty to prevent the landing of telegraphic cables, and to check the discontent, insurrection, and disturbance that would ensue.

I beg to point out to your Excellency that the disturbance to which you refer is more likely to be caused than prevented by the extraordinary and offensive measure that has been adopted, which, moreover, is calculated to give rise to wild rumours, and to have a most dangerous effect upon the minds of the ignorant people.

I am convinced that had your Excellency furnished the Sultan with correct reports on the matter, and communicated to His Majesty the formal assurance you had received, that there was no intention of laying any new line, His Majesty would never have given such ill-advised orders.

In the latter part of your letter you reopen the question as to the existence of the cable. I am the more surprised at this, as you are perfectly aware that in the letter which, by the direction of Her Majesty's Government, I addressed to the Shereefian Court on the 17th December, 1887 (1 Rebia I, 1305), I distinctly stated that Her Majesty's Government regarded the matter as closed, and did not authorize me to enter into any further discussion of it, and, moreover, that they considered the demand made by the Sultan for the removal of the cable as not calculated to promote the friendly relations which have so long existed between His Shereefian Majesty and Her Majesty's Government. It would appear from the policy which is now adopted by the Sultan and his officials that His Shereefian Majesty is no longer desirous of retaining the friendship and alliance of Great Britain, which has stood by him and his ancestors for so many years—an alliance of which all the advantages have been on His Majesty's side, and which, after all, is of comparatively small importance to Great Britain.

It only remains for me to add that the whole tone of your Excellency's letter is in keeping with the said policy—a policy of exasperation—of letting pass no opportunity of marking the unfriendliness of the Shereefian Government towards Great Britain.

Peace.

(Signed)

W. KIRBY GREEN.

March 2, 1889 (29 Jumadi II, 1306).

No. 143.

Sir Clare Ford to the Marquis of Salisbury.—(Received March 11.)

(No. 30.)

My Lord,

Madrid, March 7, 1889.

I HAVE the honour to inform your Lordship that at an interview I had yesterday with the Marquis de la Vega de Armijo, the Spanish Minister of State, the conversation turned on the subject of Morocco, and to the attacks which had been recently made in the Spanish press against Señor Diosdado, the Spanish Representative there. It will be in your Lordship's recollection, that in my despatch No. 9 of the 13th January last I had the honour to transmit to your Lordship a translation of one of the articles in question.

The Marquis informed me that there was a decided set being made in Spain against Señor Diosdado, and that he had written to him to inquire whether he would not be disposed to vacate his post, and that another one would be found for him. The Marquis went on to say that the removal of Señor Diosdado from Tangier would in no way whatever indicate any change in the policy of Spain towards Morocco, which would remain as heretofore, and which his Excellency summed up in the following words:—"Maintenance of the *status quo*." Should Señor Diosdado retire from his post it would be filled by Señor Figuera, the present Under-Secretary of State for Foreign Affairs, who is a gentleman of great ability and most conciliatory manners.

I have, &c.

(Signed) FRANCIS CLARE FORD.

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No. 144.

The Earl of Lytton to the Marquis of Salisbury.—(Received March 11.)

(No. 127. Confidential.)

My Lord,

Paris, March 9, 1889.

M. SPÜLLER stated to me yesterday in the clearest manner that the French Government bound themselves to provide employment for Mr. Levy before or at the termination of the eighteen months, during which he will be allowed to draw full pay on being relieved of his functions as Receiver of Customs at Mehadia, and so confirmed the promise which had been made to me by M. Charmes, as reported in my despatch No. 118 of the 4th instant.

The French Government are, however, unwilling to give any written undertaking to this effect, as M. Spüller states that it would at once become known in Tunis, and would render them liable to pressure of a similar kind being applied from other quarters.

I have, &c.
(Signed) LYTTON.

No. 145.

The Marquis of Salisbury to the Earl of Lytton.

(No. 111.)

My Lord,

Foreign Office, March 11, 1889.

I HAVE received your Excellency's despatches Nos. 113 and 118 of the 2nd and 4th instant respectively, upon the subject of the dismissal of Mr. Levy from the Customs Administration of Tunis.

In conveying to your Lordship my approval of the language used by you to M. Charmes, as reported in the later of those despatches, I have to state that Her Majesty's Government consider that the proposal of the French Government to find some other post for Mr. Levy at the expiration of the eighteen months during which he remains on full pay, offers ground for a satisfactory settlement of the case.

I am, &c.
(Signed) SALISBURY.

No. 146.

The Marquis of Salisbury to Consul White.

(No. 22.)

Sir,

Foreign Office, March 11, 1889.

I HAVE received Sir W. K. Green's despatch No. 4 of the 3rd January last, in regard to the proceedings of the French against the Amours, and I have to state that I approve his abstention from interference in the matter, as reported in the concluding paragraph of his despatch.

I am, &c.
(Signed) SALISBURY.

No. 147.

Foreign Office to Admiralty.

Sir,

Foreign Office, March 11, 1889.

WITH reference to the letter from this Office of the 2nd ultimo, I am directed by the Marquis of Salisbury to acquaint you that a telegram has been received from Her Majesty's Consul at Tunis, in which he states that the despatch-bag sent to Malta on the 7th ultimo, which was to have been forwarded on to him by the Admiral in command, has not yet reached him.

I am to request that you will move the Lords Commissioners of the Admiralty to cause his Lordship to be informed of the date on which the bag in question left Malta.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 148.

The Marquis of Salisbury to Consul White.

Foreign Office, March 12, 1889.

(No. 10.)
(Telegraphic.)

YOUR telegram No. 8.

Inform Moorish Government that Channel Squadron has been directed to proceed to Tangier, and to remain until cable has been repaired.

Telegraph reply of Moorish Government.

You will communicate with Admiral in command, who is instructed not to use force without further orders, but, if reply is favourable, to have cable repaired at once.

No. 149.

The Marquis of Salisbury to Mr. White.

Foreign Office, March 12, 1889.

(No. 23.)
Sir,

I HAVE received your telegram No. 8 of the 8th instant upon the subject of the Tangier cable.

I have to instruct you to notify to the Moorish Government that orders have been given to the Channel Squadron to proceed to Tangier, and to remain in that port until the Tangier telegraph cable has been repaired.

You will inform me by telegraph of the reply that you receive from the Moorish Government.

I have further to direct you to communicate with the Admiral in command of the squadron, whose orders are not to use force without further instructions, but in the event of the Moorish reply being favourable, to have the cable repaired immediately.

I am, &c.
(Signed) SALISBURY.

No. 150.

Foreign Office to Admiralty.

Foreign Office, March 12, 1889.

Sir,

WITH reference to your letter of the 9th instant, forwarding a telegram from Admiral Baird respecting the proposed repair of the telegraph cable at Tangier, I am directed by the Marquis of Salisbury to request you to move the Lords Commissioners of the Admiralty, if they see no objection, to instruct the Admiral to proceed to Tangier with the squadron, with the view of protecting the agents of the Telegraph Company in the execution of necessary repairs.

Lord Salisbury would suggest that the Admiral should place himself in communication with Mr. White, Her Majesty's Chargé d'Affaires, who will be instructed by telegraph to inform the Moorish authorities that the fleet is coming, and will remain until the cable has been repaired, and to telegraph their reply. In the event of its being favourable the cable should be at once repaired, but force should not be used without further instructions.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 151.

Sir J. Lee to Foreign Office.—(Received March 13.)

Manchester, March 13, 1889.

(Telegraphic.)

PLEASE inform Lord Salisbury that North-West African Company have just received a telegram to say that the Sultan's Governor at Wadnoon is marching 400 soldiers to attack Cape Juby Settlement, and the Manager of Settlement asks for gun-boat pending negotiations.

No. 152.

The Marquis of Salisbury to Consul White.(No. 11.)
(Telegraphic.)*Foreign Office, March 13, 1889, 6.40 P.M.*

NORTH AFRICA COMPANY hear that Sultan's Governor at Wadnoon is marching 400 soldiers to attack Cape Juby Settlement.

No. 153.

The Marquis of Salisbury to Mr. White.

(No. 25. Ext. 11.)

Foreign Office, March 13, 1889.

Sir,
WITH reference to Sir W. K. Green's despatch No. 20 of the 20th ultimo, I have to acquaint you that I have to-day been informed by Sir J. Lee that the North-West African Company have just received a telegram from their Manager at Cape Juby reporting that the Sultan of Morocco's Governor at Wadnoon is marching 400 men to attack the Settlement.

I am, &c.
(Signed) SALISBURY.

No. 154.

Foreign Office to Admiralty.

Sir,

Foreign Office, March 13, 1889.

I AM directed by the Marquis of Salisbury to acquaint you that a telegram has been received from Sir J. Lee, stating that the North West African Company's Manager at Cape Juby has reported, by telegraph, that the Sultan of Morocco's Governor at Wadnoon is marching 400 men to attack the Settlement.

I am to request that, in laying this letter before the Lords Commissioners of the Admiralty, you will inquire whether their Lordships can spare a gun-boat to proceed to Cape Juby.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 155.

Consul White to the Marquis of Salisbury.—(Received March 14.)(No. 9.)
(Telegraphic.)*Tangier, March 13, 1889, 6.40 P.M.*

YOUR Lordship's telegram No. 10.

I have made a communication to Minister for Foreign Affairs in accordance with your Lordship's instructions. He replied that he can do nothing himself, but that he would send express courier to the Sultan urging that orders be sent by return courier permitting the repair of the cable. Channel Squadron not yet arrived, but I have telegraphed the steps taken to the Admiral in command.

No. 156.

Admiralty to Foreign Office.—(Received March 14.)

(Confidential.)

Sir,

Admiralty, March 13, 1889.

IN reply to your letter of the 12th instant respecting the repair of the telegraph cable at Tangier, I am commanded by my Lords Commissioners of the Admiralty to request that you will state to the Marquis of Salisbury that Vice-Admiral Baird has been directed by telegraph to proceed with the Channel Squadron to Tangier, to communicate with Mr. White and state the squadron will remain until the telegraph cable is repaired. If reply of Moorish authorities is favourable, cable to be repaired. Force not to be used without further instructions from the Admiralty.

I am, &c.
(Signed) EVAN MACGREGOR.

No. 157.

*Sir J. Lee to Foreign Office.—(Received March 14.)**Manchester, March 13, 1889.*

Dear Sir,

I HAVE to confirm the following telegram which I had the honour to dispatch to you this day:—

"Please to inform Lord Salisbury that the North-West African Company have just received a telegram to say that the Sultan's Governor at Wadnoon is marching 400 soldiers to attack Cape Juby Settlement, and the Manager asks for gun-boat pending negotiations."

I think that this action is taken by direct orders of the Sultan, as the information was conveyed to us by a son of Bairook, the late Chief of the country. I should also judge that the son is detained a prisoner at Wadnoon, and that he has found means to inform the Manager at the Castle of any hostile intention of the Sultan. Hitherto all the information he has sent to us has proved to be correct.

I shall be in London to-morrow, and will do myself the pleasure of calling upon you about 4 P.M.

Yours, &c.
(Signed) JOSEPH C. LEE.

No. 158.

Consul White to the Marquis of Salisbury.—(Received March 14, 2 P.M.)(No. 10.)
(Telegraphic.)*Tangier, March 14, 1889, 1.40 P.M.*

YOUR telegram No. 11 regarding North African Company.

Minister for Foreign Affairs assures me that no attack is contemplated on Company's station; if any troops are marching in that direction, it can only be to operate against some tribe.

I am writing to the Court to warn Sultan against interfering with Company in any way.

No. 159.

Admiralty to Foreign Office.—(Received March 15.)

Sir,

Admiralty, March 14, 1889.

WITH reference to your letter of the 13th instant, requesting that a gun-boat may be sent to Cape Juby, in consequence of a threatened attack on the North-West African Company's Settlement there by Moors, I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Marquis of Salisbury, that the following telegram has this day been sent to Vice-Admiral Baird, commanding the Channel Squadron at Gibraltar:—

"North-West African Company, Cape Juby, threatened with attack. Send 'Curlew.' Not to remain for more than a week."

2. My Lords desire me to add that Her Majesty's ship "Curlew" is the only vessel available for this service, and that she cannot be spared to remain at Cape Juby for more than a week, as the Channel Squadron will be coming home shortly.

I am, &c.
(Signed) EVAN MACGREGOR.

No. 160.

Foreign Office to Admiralty.

Sir,

Foreign Office, March 15, 1889.

WITH reference to your letter of the 13th instant, I am directed by the Marquis of Salisbury to acquaint you that a telegram has been received from Her Majesty's Chargé d'Affaires at Tangier, in which he reports that he has made a communication

to the Moorish Minister for Foreign Affairs in regard to the telegraph cable. The latter has replied that he can do nothing himself, but would send an express courier to the Sultan urging that orders be sent by return courier permitting the repair of the cable.

Mr. White adds that the Channel Squadron has not yet arrived, but that he has telegraphed the steps taken to the Admiral in command.

I am, &c.
(Signed) P. CURRIE.

No. 161.

The Marquis of Salisbury to Mr. White.

(No. 26.)

Sir, I HAVE received your telegram No. 10 of the 14th instant relative to the rumoured march of the Governor of Wadnoon on the North-West African Company's station at Cape Juby, and I have to convey to you my approval of your proceedings in the matter.

I am, &c.
(Signed) SALISBURY.

No. 162.

Mr White to the Marquis of Salisbury.—(Received March 15.)

(No. 11.)

(Telegraphic.)

Tangier, March 15, 1889, 5.35 P.M.

MY telegram No. 9.

Channel Squadron arrived this morning. Admiral in command called with me on Minister for Foreign Affairs, informing his Excellency that he would remain here until cable is repaired. Minister for Foreign Affairs stated he had not power to grant permission himself, and requested that we await Sultan's reply to letter he had already sent. I do not apprehend that any physical opposition would be offered to repair of cable in the presence of the fleet, but I would venture to suggest that a reasonable time be allowed for receipt of Sultan's reply.

No. 163.

Foreign Office to Admiralty.

Sir,

Foreign Office, March 15, 1889.

WITH reference to the letter from this Office of the 13th instant, I am directed by the Marquis of Salisbury to acquaint you that a telegram has been received from Her Majesty's Chargé d'Affaires at Tangier, in which he reports that the Moorish Minister for Foreign Affairs assures him that no attack is contemplated on the North-West African Company's station at Cape Juby, and that if any troops are marching in that direction it can only be to operate against some tribe.

Mr. White adds that he is writing to the Court to warn the Sultan against interfering with the Company in any way.

I am, &c.
(Signed) P. CURRIE.

No. 164.

Foreign Office to Sir J. Lee.

Sir,

Foreign Office, March 15, 1889.

WITH reference to your communication of the 13th instant, I am directed by the Marquis of Salisbury to acquaint you that a telegram has been received from Her Majesty's Chargé d'Affaires at Tangier, in which he reports that the Moorish Minister for Foreign Affairs assures him that no attack is contemplated on the North-West

African Company's station at Cape Juby, and that if any troops are marching in that direction it can only be to operate against some tribe.

Mr. White adds that he is writing to the Court to warn the Sultan against interfering with the Company in any way.

I am, &c.
(Signed) P. CURRIE.

No. 165.

Mr. White to the Marquis of Salisbury.—(Received March 16.)

(No. 29.)

My Lord,

Tangier, March 8, 1889.

WITH reference to Sir William Kirby Green's despatch No. 13 of the 9th ultimo relative to the compensation to be paid by the Moorish Government to the victims of the Cape Juby outrage, I have the honour to inform your Lordship that the Moorish Commissioner for Foreign Affairs, Hadj Mohammed Torres, stated to me this day that the Administrators of Customs of this town had lately received orders from the Sultan to hold in readiness the sum of 25,000 dollars (about 5,000*l.*) for the payment of this claim, but that the Administrators, having but a small sum in their possession, had replied to the Sultan that they would be unable to make this payment unless funds were sent to them from the Court.

Hadj Mohammed Torres added that the Sultan's orders were for the immediate settlement of the claim, but that His Majesty had at the same time instructed him to obtain a reduction of the amount if possible.

I replied to his Excellency that no less sum could be accepted for Mrs. Morris than was paid for the widow of Commandant Schmitt, that is, 4,000*l.*, and that the compensation for the two wounded men had been fixed at 1,000*l.* I declined, therefore, to enter into any discussion on that point.

As I am led to expect that the amount claimed will shortly be paid into this Legation, I should be glad to receive your Lordship's instructions as to the disposal of the money.

I have, &c.
(Signed) HERBERT E. WHITE.

No. 166.

Mr. White to the Marquis of Salisbury.—(Received March 16.)

(No. 30.)

My Lord,

Tangier, March 8, 1889.

WITH reference to Sir William Kirby Green's despatch No. 26 of the 1st instant, I have the honour to report that the rumour of Señor Diosdado's removal from Tangier is now confirmed, he having been appointed Envoy Extraordinary and Minister Plenipotentiary at Stockholm.

M. Diosdado informs me that, though he has no official news of the appointment of Señor Figueras as his successor, he thinks the rumour to that effect is correct.

I have, &c.
(Signed) HERBERT E. WHITE.

No. 167.

Mr. White to the Marquis of Salisbury.—(Received March 16.)

(No. 31.)

My Lord,

Tangier, March 8, 1889.

WITH reference to your Lordship's despatch No. 14 of the 20th ultimo, I have the honour to inform your Lordship that the Spanish Military Mission referred to in the newspaper paragraphs quoted by the Director of Military Intelligence in his letter of the 13th instant has been working in Morocco since the year 1882.

The Mission has its head-quarters at Tetuan, and is engaged in making a survey of Morocco, or rather of such portions of the country as are accessible to it, and has for that purpose made expeditions at various times to Fez, Mequinez, Rabat, and other places.

M. Diosdado, the Spanish Minister, does not attach much importance to the work of this Mission, as it is only able to survey districts already well known, the special permission of the Sultan being required before it can visit any district, and His Majesty not authorizing it to enter any portion of his dominions that is not entirely subject to his control, for fear of exposing it to molestation.

M. Diosdado informs me that he is not aware that any Maps have been published as yet, but should there be, they would be procurable at the War Office at Madrid. He believes that no Map will be published until the Mission has completed its labours.

I have, &c.
(Signed) HERBERT E. WHITE.

No. 168.

Mr. White to the Marquis of Salisbury.—(Received March 16.)

(No. 33.)
My Lord,

Tangier, March 9, 1889.

SEVERAL newspapers in the United States having lately contained articles charging the United States' Consul here, Mr. Reed Lewis, with bribery and corruption, the Consul requested that an investigation be made into these charges.

Mr. Strobel, Secretary of the United States' Legation at Madrid, has accordingly, by direction of the Secretary of State at Washington, been occupied during the last few days in holding such an investigation, and has now left for Fez with the same object.

It will be within your Lordship's recollection that Mr. Strobel was sent here by the United States' Government in the month of May last in connection with the difficulties that had arisen between Mr. Lewis and the Moorish authorities.

I have, &c.
(Signed) HERBERT E. WHITE.

No. 169.

The Marquis of Salisbury to Mr. White.

(No. 12.)
(Telegraphic.)

Foreign Office, March 16, 1889, 3.10 P.M.

WHEN cable question is settled, you might again press for settlement of Cape Juby question before departure of Channel Squadron.

No. 170.

The Marquis of Salisbury to Mr. White.—(Substance telegraphed.)

(No. 27. Ext. 12.)
Sir,

Foreign Office, March 16, 1889.

I HAVE to state to you that you should address a further representation to the Moorish Government, pressing for a settlement of the Cape Juby claims, as soon as the telegraph cable question is settled and before the departure of the Channel Squadron from Moorish waters.

I am, &c.
(Signed) SALISBURY.

No. 171.

The Marquis of Salisbury to Mr. White.

(No. 13.)
(Telegraphic.)

Foreign Office, March 16, 1889.

YOUR telegram No. 11.

I approve reasonable time, but it must not be exceeded.

No. 172.

The Marquis of Salisbury to Mr. White.—(Substance telegraphed.)

(No. 28. Ext. 13.)
Sir,

Foreign Office, March 16, 1889.

WITH reference to your telegram No. 11 of the 15th instant, relative to the proposed repair of the Tangier telegraph cable under the protection of the Channel Squadron, I have to state to you that I concur in your suggestion that a reasonable time should be allowed for the receipt of the Sultan's reply before proceeding to repair the telegraph.

I am, &c.
(Signed) SALISBURY.

No. 172*.

Foreign Office to Consul Ricketts.

(No. 27.)
Sir,

Foreign Office, March 16, 1889.

WITH reference to your despatch No. 8 of the 21st January, I am directed by the Marquis of Salisbury to transmit to you the accompanying copies of correspondence, as marked in the margin,* upon the subject of the dismissal of Mr. Levy from the Customs Administration of Tunis.

You will observe that the French Minister for Foreign Affairs, in his Excellency's note to the Earl of Lytton of the 28th ultimo, denies that Mr. Levy was pressed to adopt French nationality, or that his dismissal is due to his refusal to surrender his British nationality. M. Spulier explains that he and the three Italian officials, who, like him, have been replaced by Frenchmen, would have had to issue certificates of origin of Tunisian produce imported into France, which certificates, being required exclusively for French Custom-houses, should be issued by French citizens only; and he adds that Mr. Levy is to be retained on full pay for eighteen months, and not for one year only, as stated in your despatch.

The offer made by the French Government to find some post for Mr. Levy at the end of this term, if not earlier, offers ground for a satisfactory settlement of the case; and I am to instruct you, in communicating the substance of the foregoing to the gentleman named, to inform him that Her Majesty's Government so considers it, and would advise its acceptance.

I am, &c.
(Signed) P. CURRIE.

No. 173.

Foreign Office to Consul Ricketts.

(No. 28. Confidential.)
Sir,

Foreign Office, March 16, 1889.

I AM directed by the Marquis of Salisbury to acquaint you, with reference to my despatch No. 27, that Her Majesty's Ambassador at Paris has reported that the French Government explicitly confirm their previous promise to provide employment for Mr. Levy before or on the termination of the eighteen months, during which he will be allowed to draw full pay, but that the French Government are unwilling to give any written undertaking to this effect, lest it should at once become known in Tunis, and render them liable to similar pressure from other quarters.

I am, &c.
(Signed) P. CURRIE.

No. 174.

Foreign Office to Admiralty.

Sir,

Foreign Office, March 16, 1889.

WITH reference to the letter from this Office of yesterday's date, I am directed by the Marquis of Salisbury to acquaint you that a further telegram has been received from Her Majesty's Chargé d'Affaires at Tangier, reporting the arrival there of the Channel Squadron.

* Nos. 75, 125, and 133.

Mr. White adds that, in company with the Admiral, he called on the Moorish Minister for Foreign Affairs, to whom Admiral Baird stated that he would remain at Tangier until the telegraph cable was repaired. The Minister replied that he had not himself the power to grant permission, and requested that the Sultan's answer to the letter already sent to His Shereefian Majesty by his Excellency might be awaited.

Mr. White concludes his telegram by stating that he does not apprehend any material opposition being offered to the repair of the cable in the presence of the fleet, but he suggests that a reasonable time be allowed for the receipt of the Sultan's reply.

I am, &c.
(Signed) P. CURRIE.

No. 175.

Foreign Office to Admiralty.

Sir, *Foreign Office, March 16, 1889.*
WITH reference to the letter from this Office of yesterday's date, I am directed by the Marquis of Salisbury to state to you that the doubt expressed by Her Majesty's Chargé d'Affaires at Tangier as to the truth of the reported movement on the establishments of the North-West African Company at Cape Juby appears to be shared by Sir Joseph Lee, who has called personally at this Office in the interests of the Company.

Under these circumstances, I am to request that you will suggest to the Lords Commissioners of the Admiralty that the Commander of Her Majesty's ship "Curlew" should be instructed to communicate with Mr. White before starting for Cape Juby, and, in the event of the latter considering the visit to that place unnecessary, he should postpone it.

I am, &c.
(Signed) P. CURRIE.

No. 176.

Foreign Office to Admiralty.

Sir, *Foreign Office, March 16, 1889.*
I AM directed by the Marquis of Salisbury to transmit to you herewith, to be laid before the Lords Commissioners of the Admiralty, copy of a despatch which has been received from Her Majesty's Ambassador at Madrid,* relating to an inquiry which, at the instance of the Director of Military Intelligence, his Excellency was requested to make of the Spanish Government for information respecting the surveys which the Spanish Military Mission to Fez might have furnished to their Government.

The Marquis de la Vega de Armijo appears to be willing to communicate the Reports in question, when received, in exchange for information respecting the soundings in Tangier waters which have been recently effected by Her Majesty's ships of war, and I am accordingly to request you to move their Lordships to inform Lord Salisbury what answer should be returned to this request of the Spanish Minister for Foreign Affairs.

I am, &c.
(Signed) P. CURRIE.

No. 177.

Foreign Office to Admiralty.

Sir, *Foreign Office, March 17, 1889.*
WITH reference to the letter from this Office of yesterday's date, on the subject of the Tangier cable, I am directed by the Marquis of Salisbury to state to you, for the information of the Lords Commissioners of the Admiralty, that his Lordship, in reply to Mr. White's telegram No. 11, has informed him that a reasonable time should be allowed for the receipt of a reply from the Sultan to the representation addressed to His

* No. 126.

Shereefian Majesty through the Minister for Foreign Affairs before proceeding to the repair of the cable, but that it must not be exceeded.

I am, &c.
(Signed) P. CURRIE.

No. 178.

Mr. White to the Marquis of Salisbury.—(Received March 18.)

(No. 32. Ext. 8.)

My Lord, *Tangier, March 8, 1889.*
WITH reference to your Lordship's telegram No. 9 of the 6th instant, on the subject of the Gibraltar-Tangier cable, I have the honour to report to your Lordship that Her Majesty's ship "Curlew" arrived here this afternoon.

After a brief consultation with me, the Captain returned to Gibraltar in order to make his Report to the Admiral in command of the Channel Squadron, and await further instructions. He entirely agrees with me in thinking that, in case it should become necessary to proceed to the repairing of the cable without having obtained the Sultan's permission, a greater display of force would be more likely to overawe this Government and its officials, and would therefore render less probable a resort to active measures of resistance on their part.

I venture most respectfully to point out to your Lordship that, should your Lordship approve the suggestion contained in Sir William Kirby Green's telegram No. 6, it would be advisable that the proposed communication to the Moorish Minister for Foreign Affairs should be made as soon as possible, so that the term proposed to be allowed to the Sultan for giving his formal consent to the carrying out of the repairs to the cable may expire before the departure of the Channel Squadron from Gibraltar for England, the date of which, I understand, is fixed at the 25th instant.

I have this day sent a telegram to your Lordship in the above sense.

I have, &c.
(Signed) HERBERT E. WHITE.

No. 179.

Admiralty to Foreign Office.—(Received March 18.)

Sir, *Admiralty, March 16, 1889.*
I AM commanded by my Lords Commissioners of the Admiralty to forward, for the information of the Marquis of Salisbury, in reference to your letter of yesterday's date, the following decypher of a telegram received this day from Vice-Admiral Baird, commanding the Channel Squadron, viz.:—

"Tangier, March 16, 1889.
"Have communicated with Moorish authorities, who have no power to grant permission to repair telegraph cable. Sultan has been communicated with. Reply may be expected in a week. Could guard repairs of telegraph cable at any time."

I am, &c.
(Signed) R. D. AWDRY.

No. 180.

The Marquis of Salisbury to Mr. White.

(No. 29.)

Sir, *Foreign Office, March 18, 1889.*
I HAVE received Sir W. K. Green's despatch No. 23 of the 28th ultimo, and I have to state to you that I approve his proceedings, as reported therein, in connection with the demonstrations made against the landing of a submarine telegraph cable.

I am, &c.
(Signed) SALISBURY.

No. 181.

Admiralty to Foreign Office.—(Received March 19.)

Sir,

Admiralty, March 18, 1889.
IN reference to your letter of the 16th instant, and to previous correspondence, I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Marquis of Salisbury, that Her Majesty's ship "Curlew" had

sailed for Cape Juby prior to the receipt of the instructions which were telegraphed on the receipt of your letter above quoted.

2. Instructions were also sent on the 16th instant to Her Majesty's ship "Goshawk" at Las Palmas, Canary Islands, as follows:—

"Proceed to Cape Juby, remain there one week for protection, then Gibraltar; if 'Curlew' arrives send her back to Channel Squadron. Acknowledge."

3. The foregoing orders were acknowledged by the Commanding Officer of the "Goshawk" in a telegram received this day.

I am, &c.
(Signed) EVAN MACGREGOR.

No. 182.

Question asked in the House of Commons, March 19, 1889.

Dr. Cameron.—To ask the Under-Secretary of State for Foreign Affairs whether his attention has been called to a Reuter's telegram, dated Tangier, 16th March, to the effect that the Moorish Minister for Foreign Affairs had sent a messenger to the Sultan's Court to inform His Majesty that the British Channel Squadron had come to Tangier to support the demands of the British Minister with regard to the cable and other claims, and that it was reported that the squadron would not leave until the Sultan's answer was received:

And whether it is true that a British squadron had gone to Tangier to support demands of the British Minister; and, if so, what demands.

Answer.

Some ships of the Channel Squadron have gone to Tangier. There are certain serious questions unsettled between the Sherrefian Government and that of Her Majesty, especially the treacherous murder at Cape Juby of a British subject by some of the Sultan's soldiers, as well as the prohibition to allow the submarine cable to be repaired. I cannot enter into these questions further, as they are still under discussion between the two Governments.

No. 183.

Sir J. Lee to Foreign Office.—(Received March 20.)

(Telegraphic.) *Manchester, March 20, 1889.*
HAVE received telegram from Cape Juby saying shore house surrounded with soldiers, sheep and shepherds are captured.
"Goshawk" here for week. Require gun-boat for south.
We are not sure of the word "Goshawk," it might be "got Barook here." Any way they ask for protection of gun-boat.
This is contrary to promise of Minister made to Consul White.

No. 184.

The Marquis of Salisbury to Mr. White.

(No. 14.) *Foreign Office, March 20, 1889.*
(Telegraphic.)
YOUR telegram No. 10.
Intelligence received by Company from Cape Juby that shore house is surrounded by soldiers, sheep and shepherds captured.
Her Majesty's ship "Goshawk" is at Cape Juby.

No. 185.

The Marquis of Salisbury to Mr. White.—(Substance telegraphed.)

(No. 31. Ext. 14.) *Foreign Office, March 20, 1889.*
Sir,
WITH reference to your telegram No. 10 of the 14th instant, I have to acquaint you that the North-West African Company have received intelligence from Cape Juby that their shore house there is surrounded by Moorish soldiers, and that the sheep and shepherds have been captured.

Her Majesty's ship "Goshawk" has arrived at Cape Juby from the Canaries.

I am, &c.
(Signed) SALISBURY.

No. 186.

Foreign Office to Admiralty.

Foreign Office, March 20, 1889.
Sir,
WITH reference to your letter of the 18th instant, I am directed by the Marquis of Salisbury to transmit to you, to be laid before the Lords' Commissioners of the Admiralty, the accompanying copy of a telegram from Sir Joseph Lee in regard to the state of affairs at Cape Juby.*

I am, &c.
(Signed) P. CURRIE.

No. 187.

Foreign Office to Sir J. Lee.

Foreign Office, March 20, 1889.
Sir,
I AM directed by the Marquis of Salisbury to acknowledge the receipt of your telegram of this day's date in regard to the state of affairs at Cape Juby, and to state that the substance of it has been telegraphed to the British Representative at Tangier.

I am to add that Her Majesty's ship "Curlew" left Gibraltar for Cape Juby some days ago, and that Her Majesty's ship "Goshawk" had been ordered by telegraph to proceed there from the Canaries, and relieve the former vessel, which could not be spared for long.

I am, &c.
(Signed) P. CURRIE.

No. 188.

Consul Ricketts to the Marquis of Salisbury.—(Received March 21.)

(No. 14.) *Tunis, March 11, 1889.*
My Lord,
I HAVE the honour to inform your Lordship that the Resident of Tunis, M. Massicault, leaves this day for Paris to consult, it is said, with M. Spuller in reference to the future policy to be observed in this Regency.
M. Massicault will, I believe, be absent from two to three weeks, and is replaced by the French Consul, M. Regnault.

I have, &c.
(Signed) G. T. RICKETTS.

No. 189.

Consul Ricketts to the Marquis of Salisbury.—(Received March 21.)

(No. 16.) *Tunis, March 11, 1889.*
My Lord,
I AM informed that one battalion of Algerian light infantry of six companies, lately raised in Algiers, No. 4, will be shortly stationed at Bab-el-Oued, in the Tunis district. This battalion is not at present complete in numbers, and will be filled up, I am told, by Tunisian recruits.

I have, &c.
(Signed) G. T. RICKETTS.

The Earl of Lytton to the Marquis of Salisbury.—(Received March 21.)

(No. 151. Confidential.)

My Lord,

Biarritz, March 18, 1889.

THE Count de Benomar, who was lately Spanish Ambassador at the Court of Berlin, is now staying at Biarritz, and I think your Lordship may be interested by the views he has expressed to me, with great earnestness, about the policy of Spain in reference to Morocco.

The Count and I were colleagues many years ago at Washington, since when I have not seen him till we met here a few days ago.

During the interval he has held various diplomatic posts, and amongst others that of Spanish Minister at Tangier, which he retained for a considerable number of years. He has always been a strong opponent of any separate or secret understanding between Spain and France, and he warmly espoused and promoted the confidential negotiations which have placed Spain in the second line of reserve behind the league of peace between Italy, Austria, and Germany.

The Count informs me that when he left Berlin both Prince Bismarck and the Italian Ambassador at that Court had intimated to him their serious apprehensions that the Marquis de la Vega de Armijo was disposed to entertain or encourage renewed overtures from the Government of the French Republic for some separate understanding between France and Spain with reference to the affairs of Morocco. He did not hesitate on that occasion to assure the German Chancellor and his Italian colleague of his disbelief in any ground for these apprehensions, for the policy they attribute to the Marquis was so dangerous to Spain, so contrary to the traditions of the country and the interests of the Monarchy, that, in his opinion, no Spanish Minister could be seriously tempted to entertain the idea of it.

Latterly, however, various circumstances had somewhat shaken the confidence he then expressed. The partition of Morocco proposed to the Spanish Government by M. Cambon on a previous occasion was of a very plausible character, for it left Spain in possession of the coast, but in reality its adoption would have been ruinous to her, for it carried the dominion of France along the line of the Atlas to a point opposite the Canaries.

M. Moret had avoided and exposed the snare. But his successor, vainer and more ambitious of personal distinction, was under stronger temptation to associate his tenure of office with what might be made to appear to him a great diplomatic *coup*; and if the present Spanish Government had not been drawn into some other understanding with France about the future of Morocco, it was difficult to understand the apparently increased restlessness of its policy in reference to the affairs of that country—a policy which seemed to aim rather at the provocation of a crisis than at the steady maintenance of the *status quo* in co-operation with those Powers which are interested in maintaining it.

Count Benomar mentioned one or two instances of this; but the circumstance to which he seemed to attach most significance is the recall of M. Diosdado, and the instructions given to his successor “to pursue a more forward policy.”

M. Diosdado, who, the Count said, had been employed under him for twelve years at Tangier, was exceptionally competent to carry out the policy hitherto pursued by Spain in Morocco, and could be trusted to keep things quiet there during the lifetime of the present Sultan in close co-operation with his English, Italian, and German colleagues. His recall would certainly not be conducive to the stability of the situation, which, resting on rotten foundations, needed very delicate handling, and in Morocco a forward Spanish policy was an absurdity. He had frequently endeavoured to impress on the Marquis de la Vega de Armijo that his Excellency was not called upon to initiate any foreign policy for Spain. The objects prescribed to the foreign policy of any Spanish Government other than that of a Republic were pre-existent, plain, and permanent: to maintain the Spanish Monarchy and preserve the independence of the Spanish nation. The means and methods of such a policy were equally definite. They dictated an understanding with Italy, Austria, and Germany in regard to European affairs, and close co-operation with England about the affairs of Morocco. If Morocco were partitioned between Spain and France, Spain would be overlapped by her great Republican neighbour from the Pyrenees to the Canaries. Her international position would thus become untenable, and her intestinal condition one of chronic anarchy. The humiliation, resentment, and exasperation of the Spanish people would overthrow

any Government or dynasty associated with such a result. The Spanish Monarchy could not survive it, and Europe would no longer have any interest in the existence of the Spanish nation. If Morocco is eventually to fall under the dominion of any European Power or Powers, Spain, as being the most interested, would no doubt expect the lion's share; but that is precisely the share which would be secured by France in any Partition Treaty concluded between herself and Spain without the participation of the other Powers. The policy of Spain, therefore, must be to support those Powers in preventing any premature disturbance or collapse of the native authority in Morocco; and whenever the maintenance or restoration of that authority becomes no longer possible, to secure the support of England, Italy, Germany, and Austria in resisting the pretensions certain to be raised by France.

In this view, said Count Benomar, Prince Bismarck had always advised the Spanish Government to regard England and Italy as Powers in the first line, and Germany and Austria as Powers in the second, or reserve, line of its Morocco policy.

The Count then referred to the proceedings of the French in Morocco, which, he said, were of a continually aggressive, irritating, and troublesome character, although they were always followed or accompanied by professions of scrupulous inactivity on the part of the French Government. This incongruity between the professions of the Government and the acts of its Agents he rightly attributed to the fact that the foreign affairs of the French Republic are practically administered by the “Chefs de Bureau,” and not by the Ministers, who are often ignorant or misinformed of what their Office is about.

The Count said that when M. de Courcelles, an old colleague of his, was talked of as likely to be called to the administration of the French Foreign Office, he had advised that gentleman, as a friend, not to attempt “a forward policy in Morocco,” telling him plainly that it would involve France in a very serious quarrel with Spain, and that Spain would not be unsupported in such a quarrel. M. de Courcelles had given him satisfactory assurances as to his own intentions if placed in a position to carry them out, to which he had replied, “My dear friend, your intentions will be wholly ineffectual unless you get rid of half the permanent staff of your Office and take the business of it completely into your hands.”

I have, &c.
(Signed) **LYTTON.**

No. 191.

Sir J. Lee to Foreign Office.—(Received March 21.)

Dear Sir,

56, Mosley Street, Manchester, March 20, 1889.

I HAVE to acknowledge your letter in which you inform me that the Minister at Tangier had stated that no soldiers would attack Cape Juby.

I thought it prudent to send one of the Directors of the Company to the station. He sailed on Saturday, but will not reach there for fourteen days. Like all the Sultan's promises, the one made by his Minister is broken already, and he openly states that he will attack the port of Tarfaya, Cape Juby.

We have received the following telegram from Mr. Hepburn, our Manager, sent by schooner to the Canary Islands, and from thence by Spanish telegram:—

“Shore house surrounded with soldiers. Sheep and shepherds captured. ‘Goshawk’ (? got Bairook) here for week. Require gun-boat for south.—HEPBURN.”

I confess I don't understand the word “Goshawk” unless it means as I have put in parentheses. Bairook is the Chief. It may possibly mean that “Goshawk” is one of Her Majesty's ships.

We have about twenty men in the shore house and castle. It is possible there may be thirty men there, but we are following our instructions given us by your Office not to fire unless attacked.

I shall be glad to come to town if you desire to see me.

I am, &c.
(Signed) **JOSEPH C. LEE.**

Mr. White to the Marquis of Salisbury.—(Received March 21, 2.5 P.M.)

(No. 12.)

(Telegraphic.)

Tangier, March 21, 1889, 12.50 P.M.

YOUR telegram No. 14.

Am sending express courier to the Court stating that Her Majesty's Government will hold Sultan responsible for all that may occur.

No. 193.

Foreign Office to Admiralty.

Sir,

Foreign Office, March 21, 1889.

WITH reference to the letter from this Office of yesterday's date, I am directed by the Marquis of Salisbury to acquaint you, for the information of the Lords Commissioners of the Admiralty, that Her Majesty's Representative at Tangier has reported, by telegraph, that he is sending an express courier to the Moorish Court with a message to the effect that the Sultan will be held responsible by Her Majesty's Government for all that may occur at Cape Juby.

I am, &c.
(Signed) P. CURRIE.

No. 194.

Foreign Office to Sir J. Lee.

Sir,

Foreign Office, March 21, 1889.

WITH reference to my letter of yesterday's date in regard to the state of affairs at Cape Juby, I am directed by the Marquis of Salisbury to inform you that a telegram has to-day been received from Mr. White, in which he reports that he is sending by an express courier a further representation to the Sultan on the matter.

I am, &c.
(Signed) P. CURRIE.

No. 195.

Mr. White to the Marquis of Salisbury.—(Received March 22.)

(No. 35.)

My Lord,

Tangier, March 14, 1889.

I HAVE the honour to report that, upon receipt on the evening of the 12th instant of your Lordship's telegram No. 10 of that date, I called upon Hadj Mohammed Torres, and informed him that the Channel Squadron had been ordered to come to Tangier, and to remain here until the cable has been repaired. I thought it well to state that it was with great regret that Her Majesty's Government had at length found itself constrained to resort to these measures, but that no other course was open to it in view of the attitude the Sultan had thought fit to adopt towards it. I added that Her Majesty's Government had displayed great patience and forbearance in this matter, in that it had waited upwards of five weeks in the hope that wiser counsels would prevail with the Sultan, and that His Majesty would of his own accord have ordered that no further opposition should be offered to the repair of the cable; but that, as this forbearance had apparently been misconstrued by the Sultan, Her Majesty's Government had been obliged to take steps to impress upon His Shereefian Majesty the necessity of desisting from further opposition.

Thinking it possible that the nature of Hadj Mohammed Torres' instructions might permit him to yield at the last moment, if his Excellency perceived that active measures were about to be taken, I expressed to his Excellency the hope that the instructions under which he was acting might empower him to give at once the required permission for the repair of the cable, and thus enable me to telegraph to

your Lordship that the matter had been settled, and that the presence of the fleet was not required.

Hadj Mohammed Torres replied, however, that he could do nothing further than communicate to the Sultan the language I had held; but his Excellency assured me that, in making this communication, he would urge His Shereefian Majesty to lose no time in giving the required orders, so that His Majesty might avoid the humiliation of the repairs being carried out notwithstanding his opposition. His Excellency also promised to take steps that the greatest dispatch should be used in obtaining the Sultan's reply.

In order that there should be no misunderstanding as to the purport of the communication I had made to Hadj Mohammed Torres verbally, I addressed his Excellency on the following day a letter embodying the language I had held. I have the honour to inclose herewith a translation of this letter.

I communicated, by telegraph, to Vice-Admiral Baird, who is in command of the Channel Squadron, the nature of the communication I had made to the Commissioner for Foreign Affairs and of his Excellency's reply.

The Channel Squadron has not arrived, nor have I as yet received any communication from Admiral Baird, but I understand that the squadron was at Gibraltar yesterday, so its arrival here may be expected at any moment.

I have, &c.
(Signed) HERBERT E. WHITE.

P.S.—Since writing the above I have received a telegram from the Admiral informing me that the squadron would arrive here early to-morrow morning.
H. E. W.

Inclosure in No. 195.

Mr. White to Hadj Mohammed Torres.

(Translation.)

(After compliments.)

March 13, 1889 (10 Rejeb, 1306).

HAVING received last night orders from Her Majesty's Government to make a certain communication to your Excellency, I called upon you at once to deliver to you verbally the message, so that no time might be lost, but I think it right, in order that there should be no misunderstanding, to repeat to your Excellency in writing what I then stated to you by word of mouth.

Her Majesty's Government directed me to inform your Government that, in view of the obstacles that have been raised to the repair of the telegraphic cable connecting this port with Gibraltar, they had issued orders that the squadron which has lately been cruising in this neighbourhood should come to Tangier and remain here till the cable has been repaired.

In making this communication to your Excellency, I reminded you that it is now upwards of five years since I gave your Excellency a formal assurance that it was not intended to lay any new line of cable, but merely to repair the existing cable, which was nearly worn out, and I requested that no further opposition should be made to the carrying out of these repairs. The only apparent result of this assurance and request was that a body of soldiers was sent to the beach with orders, as your Excellency informed me, to prevent by force the repairing of the cable, and that orders were likewise sent to the Governors of all the ports to place guards along the coast, and to oppose by force the laying of a cable.

In view of the friendship which has so long existed between the two nations, Her Majesty's Government have shown the greatest patience and forbearance, in the expectation that the Sultan, on having the matter placed before His Majesty by your Excellency in its true light, might, of his own accord, have given orders to permit the execution of the repairs in question.

It appears, however, that this patience and forbearance have been misconstrued, and Her Majesty's Government find themselves reluctantly compelled to resort to other measures.

I had hoped that possibly your Excellency might hold instructions that would have empowered you to arrange this question yourself at once, and that thus even now, at the last moment, I might have been enabled to inform Her Majesty's Government, by telegraph, that the presence of the squadron was not required, but in this hope I

was unfortunately disappointed, as your Excellency informed me that you could do nothing but communicate to the Sultan the message I had delivered to you.

I urged your Excellency, therefore, to lose no time in making that communication to His Majesty, and to point out at the same time the importance of dispatching immediate orders in the sense required, so that, if possible, His Majesty may have the credit of having of his own free will permitted the repair of the cable, and that it may not be made evident to the world that a disagreement has arisen between His Majesty and the old allies of His Majesty's dynasty, to whom both His Majesty and His Majesty's predecessors have ever been accustomed to apply when involved in difficulties with other powers.

Peace.

(Signed) HERBERT E. WHITE.

No. 196.

Mr. White to the Marquis of Salisbury.—(Received March 22.)

(No. 36. Ext. 10.)

My Lord,

Tangier, March 14, 1889.

I HAVE the honour to acknowledge the receipt of your Lordship's telegram No. 11 of the 13th instant, informing me that a report had reached the North-West African Company to the effect that the Governor of Wadnoon was marching to attack their factory at Cape Juby with a body of troops some 400 strong.

I took the first opportunity of calling upon the Commissioner for Foreign Affairs and inquiring whether he had any knowledge as to the object of this reported expedition.

His Excellency replied that he had no knowledge on the subject, but at the same time he had no hesitation in assuring me that no attack was contemplated on the Company's factory. His Excellency added that, should it be a fact that such a force was being led towards Cape Juby by the Governor of Wadnoon, it could only be to operate against some unruly tribe in that neighbourhood.

I had the honour to report the substance of the foregoing to your Lordship by telegraph this morning.

Although I have no doubt that there can be no intention of making any direct attack on the North-West African Company's factory at Cape Juby, I am by no means convinced that Hadj Mohammed Torres' explanation of the probable object of the rumoured expedition is entirely correct, for I think it very probable that the Sultan may have sent orders to the Governor of Wadnoon to take steps to check the trade of the Company by preventing the neighbouring tribes from having intercourse with them. I have therefore considered it my duty to address a letter to Cid Emfadi Gharnit warning him that Her Majesty's Government would hold the Sultan responsible for any interference with the North-West African Company.

I have the honour to inclose herewith a translation of this letter.

I have, &c.

(Signed) HERBERT E. WHITE.

Inclosure in No. 196.

Mr. White to Cid Emfadi Gharnit.

(Translation.)

(After compliments.)

March 14, 1889 (11 Rejeb, 1306).

A REPORT has reached Her Majesty's Government that the Governor of Wadnoon is marching towards Cape Juby with a force of some 400 men. I cannot suppose that there is any intention of making any attack on the English factory at Cape Juby, for the Sultan must be well aware of the serious consequences which would in such case ensue, but I conclude that the object of the expedition must be, as Hadj Mohammed Torres informs me is probably the case, merely to operate against some tribe in the southern confines of the Sultan's dominions. At the same time, I think it well to warn your Excellency that Her Majesty's Government will hold the Sherreefian Government responsible for any interference with the English Company. The tribes in the neighbourhood of Cape Juby have lately recommenced commercial

intercourse with the Company, and I would urge, with a view to preventing further untoward questions, that the Governor of Wadnoon be instructed to be very careful to abstain from offering any kind of obstruction to the Company's trade.

Peace.

(Signed) HERBERT E. WHITE.

No. 197.

Sir Clare Ford to the Marquis of Salisbury.—(Received March 22.)

(No. 35.)

My Lord,

Madrid, March 19, 1889.

I HAVE the honour to inform your Lordship that the Spanish Under-Secretary of State, Señor Figuera, has been appointed Envoy Extraordinary and Minister Plenipotentiary at Tangier, in place of Señor Diosdado, who has been removed in the same capacity to Stockholm.

Señor Diosdado is spoken of as a thorough gentleman, but he failed to acquire the approbation of his countrymen in his treatment of Spanish affairs in Morocco; and I understand that pressure was brought to bear on the Spanish Ministry of State at Madrid to have him removed.

His successor, Señor Figuera, is a well-known Spanish official, and is deservedly most popular. He will arrive in Tangier imbued with the policy of the Spanish Government, which consists in a strict regard for the maintenance of the *status quo*.

I have, &c.

(Signed) FRANCIS CLARE FORD.

No. 198.

Sir J. Lee to Foreign Office.—(Received March 22.)

Dear Sir,

56, Mosley Street, Manchester, March 21, 1889.

I AM much obliged for the assurance contained in your letter of yesterday's date. In having the telegram repeated, I find that the word in doubt was "Goshawk," and that another word which was rendered "south" should have been "month," the object evidently of the telegram being to ask the consent of the Government to allow the "Goshawk" to remain at Cape Juby a month so that all matters might be settled by Mr. Mackenzie, who would arrive about the 28th or 29th instant.

I am, &c.

(Signed) JOSEPH C. LEE.

No. 199.

Question asked in the House of Commons, March 22, 1889.

Sir Robert Fowler.—To ask the Under-Secretary of State for Foreign Affairs—

(1.) To state the nature of the British claims which a portion of the Mediterranean Squadron has been sent to Tangier to enforce:

(2.) Whether the Sultan of Morocco has ever sanctioned the telegraphic cable between Tangier and Europe, injury to which is alleged to be a ground of complaint, or has made himself in any way responsible for its maintenance:

(3.) Whether Cape Juby, where injuries are said to have been done to certain traders, for which it is also alleged that reparation is now sought, is within the authority of the Sultan of Morocco:

(4.) And whether Her Majesty's Government is aware that demands for compensation, on account of misconduct by tribes over which the Sultan of Morocco has no real control, are likely to lead to extortionate demands and violent reprisals seriously imperilling the interests of the natives.

Answer.

There are obvious reasons why I cannot state particularly the claims which Her Majesty's Government make upon the Government of Morocco. The sanction of the Sultan to the telegraphic cable was communicated by the Moorish Commissioner for Foreign Affairs to Her Majesty's Minister. It is true that he afterwards attempted to withdraw it; but Her Majesty's Government do not admit his right to do so. Her Majesty's Government have never admitted the sovereignty of the Sultan over Cape Juby; but he, on the contrary, claims to exercise authority there, and it was by an armed force of his soldiers that the European servants of an English Company were treacherously set upon, and one of them killed and two wounded. Her Majesty's Government will not make demands which are liable to lead to extortion or injustice.

No. 200.

The Marquis of Salisbury to Mr. White.

(No. 32.)

Sir,

Foreign Office, March 23, 1889.

I APPROVE the representation which you sent by express courier to the Moorish Court, stating that Her Majesty's Government will hold the Sultan responsible for all that may occur at Cape Juby, as reported in your telegram No. 12 of the 21st instant.

I am, &c.
(Signed) SALISBURY.

No. 201.

Foreign Office to Admiralty.

Sir,

Foreign Office, March 23, 1889.

WITH reference to my letter of the 20th instant, I am directed by the Marquis of Salisbury to transmit to you the accompanying copy of a communication from Sir Joseph Lee in regard to the state of affairs at Cape Juby;* and I am to request that, in laying this letter before the Lords Commissioners of the Admiralty, you will move their Lordships to cause Lord Salisbury to be informed how long Her Majesty's ship "Goshawk" can be allowed to remain at that place.

I am, &c.
(Signed) P. CURRIE.

No. 202.

Mr. White to the Marquis of Salisbury.—(Received March 25.)

(No. 34. Ext. 9.)

My Lord,

Tangier, March 13, 1889.

I HAVE the honour to report to your Lordship that I have this day made a communication to the Moorish Commissioner for Foreign Affairs in accordance with the instructions contained in your Lordship's telegram No. 10.

Hadj Mohammed Torres replied that it is not in his power to take any step of his own initiative, but that he would lose no time in sending an express courier to the Sultan with a communication, in which he would urge His Shereefian Majesty strongly to send orders by return courier to allow the carrying out of the repairs to the cable.

The Channel Squadron has not yet arrived in Tangier Bay, but I have made known the steps I have taken to the Admiral in command telegraphically.

The substance of the above has been communicated to your Lordship by telegraph.

I have, &c.
(Signed) HERBERT E. WHITE.

* No. 198.

No. 203.

Mr. White to the Marquis of Salisbury.—(Received March 25.)

(No. 37. Ext. 11.)

My Lord,

Tangier, March 15, 1889.

WITH reference to my telegram No. 9 of the 13th instant, I have the honour to report to your Lordship that the Channel Squadron arrived here this morning, and that this afternoon Vice-Admiral Baird called with me on the Moorish Commissioner for Foreign Affairs, and informed him that he had instructions to remain before Tangier till the repairs of the submarine cable should be carried out.

Hadj Mohammed Torres informed him, in reply, that he had no power of his own initiative to grant the permission required for the execution of these repairs, and requested, therefore, that we should await the reply to the letter he had already dispatched to the Sultan.

Although I do not believe that in presence of Her Majesty's ships in this bay an attempt to repair the cable would be met by physical opposition, still I would venture most respectfully to suggest that a reasonable time be allowed to elapse for the receipt of the Sultan's reply before any further steps are taken.

The substance of the above has already been communicated to your Lordship by telegraph.

I have, &c.
(Signed) HERBERT E. WHITE.

No. 204.

The Earl of Lytton to the Marquis of Salisbury.—(Received March 25.)

(No. 158. Confidential.)

My Lord,

Biarritz, March 23, 1889.

WITH reference to Sir William Kirby Green's despatches Nos. 25 and 26, Confidential, of the 1st instant, I may mention that Count Benomar, in the course of the conversation reported in my despatch No. 151, Confidential, of the 18th instant, referred to the report that the Sultan of Morocco had ceded to Germany a territory on the borders of Algeria in the direction of the River Monlougia.

This report he said was entirely without foundation, and on the face of it absurd, inasmuch as the territory in question was so situated as to be absolutely untenable if the possession of it were disputed by France.

Count Benomar, however, seemed under an impression that the report had been the subject of some representation made at Berlin by the Spanish Government, whose hasty credence of it he attributed to French instigation.

His language on the subject of Señor Diosdado's recall was also in complete accordance with the statement made by that gentleman to Sir W. K. Green, that the cause of it is connected with the same considerations which have occasioned his own removal from Berlin, and that it may be regarded as a sign if not of actual arrangements, at least of some approach to an understanding between France and Spain as to the future of Morocco.

Count Benomar also seemed inclined to attribute to French, unopposed by Spanish, influence the Sultan's opposition to the repair of the Eastern Telegraph Company's cable. He said that Señor Diosdado had been offered, but had refused, the post of Spanish Minister at the Court of Sweden.

M. Charmer visited Madrid last year. I cannot say whether his visit was productive of any change in the disposition of the Spanish Government with reference to the affairs of Morocco, and the existence of any such change was at the time emphatically denied by my Spanish colleague. But, owing to the permanent character of M. Charmer's functions, and the transitory position of his official superiors, he may be regarded as the chief manager of French foreign affairs.

I have, &c.
(Signed) LYTTON.

No. 205.

Admiralty to Foreign Office.—(Received March 25.)

(Confidential.)

Sir,

Admiralty, March 25, 1889.

WITH reference to previous correspondence, I am commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, the decypher of a telegram, dated 24th instant, from the officer commanding Her Majesty's ship "Goshawk."

I am, &c.

(Signed)

EVAN MACGREGOR.

Inclosure in No. 205.

The Officer commanding H.M.S. "Goshawk" to Admiralty.

(Telegraphic.)

Las Palmas, March 24, 1889, 4.45 P.M.

RETURNED on account of bad weather. State of affairs at Juby satisfactory. Purpose leaving when it lulls; calling at Juby on the way to Gibraltar.

No. 206.

*The Eastern Telegraph Company (Limited) to Foreign Office.—(Received March 25.)**Winchester House, 50, Old Broad Street, London,
March 25, 1889.*

Dear Sir Julian,

IT may be of use to you to have in your hands a Memorandum of the position of our telegraph system at Tangier.

You will observe that we sent across sufficient cable to repair the portion between the sea and the telegraph house in the town. This was landed at the Custom-house, and we paid duty upon it. It is in the Custom-house now, as the authorities would not allow us to use it in any way. Later on, when it was becoming necessary to have the present connection between the sea and the office replaced by a piece of efficient cable, the "Electra" steamer was sent down with the cable on board, and it was landed on the beach. As you are aware, our people were stopped digging the trenches in the sand along which it was intended to lay the cable.

There is no doubt that it will be decided that this portion of the cable should be laid, and if the Admiral receives instructions to lay it, we will have no difficulty in doing it; but I would suggest that a telegram should be sent to Mr. de Sauty, our agent at Gibraltar, who will at once proceed to Tangier with one of his staff, so as to make the electrical connection—in other words, splice the sea portion on to the land portion.

The whole thing can be done in a few hours, and I may mention that there is no intention to add one yard to the existing line nor extend it in any way along the coast, as is represented by Spaniards and others interested in preventing the system being worked in an efficient manner.

I am, &c.

(Signed)

JOHN PENDER.

Inclosure 1 in No. 206.

Memorandum.

I INCLOSE tracing showing what has been done in regard to the Tangier cable.*

First, we tried to lay a cable from the cable-house to the office, which is shown on the tracing dotted red.

It was found impossible to maintain this, on account of the cross sea literally rending it to pieces.

* Tracing not printed.

Then we proposed a land line, which is shown in blue, but Sir Kirby Green advised us not to attempt its erection, because the Moors were apprehensive that we had something more important in view.

The next thing we did was to make a trenched land line, which is marked red, and this has been over and over again maliciously broken and interfered with by some persons unknown.

It had at last become so bad that it became necessary to renew it. One and a-half miles of cable was sent to Tangier and lodged in the Custom-house, and duty paid upon it.

This cable the Moorish authorities would not allow us to use.

The accompanying correspondence will show why the "Electra" was sent with cable to lay in a new trench line. We had no apprehension that there would be any trouble, and I considered we were acting under the advice of our Consul, although not official.

The "Electra" left this mile and a-half of cable on the beach, but it is evident that the Moors believed we had the intention of going on to Mogador without their leave. The Spanish and Tangier papers seem to foster the idea that such was our intention, and this has also been published in the London papers, whereas we have never seriously considered this subject.

(Signed)

JAMES ANDERSON, *Managing Director.*

50, Old Broad Street, London, March 23, 1889.

Inclosure 2 in No. 206.

Memorandum to Managing Director.

I AM sorry to have again to trouble you about the Tangier Beach line.

It has been lately giving us a lot of trouble, notwithstanding the putting down lately of two pieces of old type D, received from Malta for the purpose.

I propose now to relay about 1.5 knot of new type D, where nearly all the faults occur, and cutting out of circuit some very old type C, the serving of which is nearly perished over the great part of it, and in many places is totally perished.

We have 25 knots type D in the tanks.

If you approve of this being done please wire, and I will start at once with the work.

Sir Kirby Green advises this being done instead of doing anything with regard to the overhead line, as, having already landed without trouble some pieces of cable, we should not be interfered with, whereas he fears that if we were to start the overhead line he would be called upon to stop us, and perhaps cause a great delay.

Griffin writes that it is extremely doubtful whether the Sultan will ever get so far as Tangier, as so many of the officials there do not look upon his visit with any agreeable feelings.

Respectfully,

(Signed)

C. V. DE SAUTY.

*The Eastern Telegraph Company (Limited),
Gibraltar Station, January 16, 1889.*

Inclosure 3 in No. 206.

Managing Director to Mr. de Sauty.

(Telegraphic.)

London, January 22, 1889, 2.18 P.M.

DO as you propose at Tangier.

Inclosure 4 in No. 206.

Mr. de Sauty to Managing Director.

(Telegraphic.)

Gibraltar, February 12, 1889, 6.45 A.M.

REFERRING to my letter of the 16th January and your S. G. of the 22nd, Mr. Taylor took over the type D.

The Moorish Customs officials have been from day to day simply playing with us, making promises one day to be broken the next, until Saturday, when they gave a written refusal to allow us to remove cable from Customs, although the duties had been tendered.

Sir K. Green being ill and unable to assist us, Mr. White, the Consul, has taken the matter in hand, and has been most energetic in trying to overcome the scruples of the Customs, but unsuccessfully, they asserting that they have been forbidden by the Sultan to afford any facilities, and that they dare not pass the cable.

In meantime, Taylor has got trench ready, and has patched up old line as well as he was able.

It has been suggested unofficially by Mr. White that the "Electra" when here might do as she did before with main cable, and lend what is wanted for beach, taking away that stored at Customs without your authority.

I have not liked to make a further move, and solicit your instructions.

Inclosure 5 in No. 206.

Managing Director to Mr. de Sauty.

(Telegraphic.)

London, February 12, 1889, 10 P.M.

USE your own discretion. I do not know what to advise so well as you can, being on the spot.

No. 207.

Mr. White to the Marquis of Salisbury.—(Received March 25, 9.15 P.M.)

(No. 13.)

(Telegraphic.)

Tangier, March 25, 1889, 4.25 P.M.

YOUR telegram No. 13.

Eleven days having now elapsed, and no reply having come from the Sultan, after consultation with Admiral in command of squadron, I called on Minister for Foreign Affairs, and stated I considered that sufficient time had been allowed for reply. His Excellency urged bad state of the roads owing to recent rains, and begged further delay of three or four days, assuring me that the reply would be satisfactory.

I inquired privately what reply his Excellency would give were I to address him a letter stating that Company would proceed to repair cable, and that, unless assurances were given that no force would be used to oppose them, Admiral would take steps to overcome opposition, giving public necessary warning. Minister for Foreign Affairs replied that he would in that case reply that, under the circumstances, no physical opposition would be offered.

I await your Lordship's instructions.

No. 208.

The Marquis of Salisbury to Mr. White.

(No. 15.)

(Telegraphic.)

Foreign Office, March 25, 1889.

HER Majesty's ship "Goshawk" returned to Canaries 24th instant, on account of bad weather. Affairs at Cape Juby reported satisfactory. When fine "Goshawk" proposes to call at Juby on way to Gibraltar.

No. 209.

The Marquis of Salisbury to Mr. White.—(Substance telegraphed.)

(No. 35. Ext. 15.)

Sir,

Foreign Office, March 25, 1889.

I HAVE to acquaint you that the Lords Commissioners of the Admiralty have communicated to me a telegram from the Officer commanding Her Majesty's ship "Goshawk," dated Las Palmas, the 24th instant.

The Commander reports that he had returned with his vessel to the Canaries on that day on account of bad weather, but that the state of affairs at Cape Juby was reported to be satisfactory. He concludes by saying that, when fine, the "Goshawk" proposes to call at the latter place on her voyage to Gibraltar.

I am, &c.
(Signed) SALISBURY.

No. 210.

The Marquis of Salisbury to Mr. White.

E
(No. 33.)

Foreign Office, March 25, 1889.

Sir, I APPROVE your letter to Cid Emfadi Gharneet, a translation of which accompanies your despatch No. 36 of the 14th instant, regarding the reported expedition of the Governor of Wadnoon to Cape Juby.

I am, &c.
(Signed) SALISBURY.

No. 211.

The Marquis of Salisbury to Mr. White.

E
(No. 34.)

Foreign Office, March 25, 1889.

Sir, I APPROVE your letter to the Moorish Commissioner for Foreign Affairs regarding the repair of the Gibraltar-Tangier telegraph cable, a translation of which accompanies your despatch No. 35 of the 14th instant.

I am, &c.
(Signed) SALISBURY.

No. 212.

Mr. White to the Marquis of Salisbury.—(Received March 26.)

E
(No. 38. Confidential.)

Tangier, March 18, 1889.

My Lord,

WITH reference to my despatch No. 30 of the 8th instant, I have the honour to report that Señor Diosdado left Tangier this day for Seville, where he will spend about a month before proceeding to his new post at Stockholm.

Señor Uribarri, the First Secretary, remains in charge of the Spanish Legation until the arrival of the new Minister, Señor Figueras.

A large number of persons, including most of the Diplomatic and Consular Body, accompanied M. Diosdado to the beach on his departure.

After M. Diosdado had embarked, Señor Rinaldi, the First Interpreter of the Spanish Legation, turned to me and said: "Mark my words, within three months I shall have retired from the service."

M. Rinaldi has been the medium through whom Spain has of late years gained the position of confidential adviser to the Sultan—a perfect Arabic scholar, he has resided in this country for many years, and since the change of Spanish policy towards Morocco, initiated by M. Diosdado on his appointment to the post eleven years ago, has ingratiated himself with the Moorish officials and with the Sultan, from whom, it is said, he has received substantial favours in return for the services he has rendered. It is to be supposed, then, that he feels that, if a policy less friendly towards Morocco is about to be adopted by his Government, he will be placed in a false position; and that this conjecture is likely to be correct is rendered more probable by other hints he has lately dropped on the subject.

M. Diosdado's removal, if followed by the retirement of M. Rinaldi, would seem to indicate that the Spanish Government is about to revert to its former policy in this country, and it will, in that case, be necessary to carefully observe the development of this policy to discover whether it will afford any grounds for believing that an understanding has been come to with France for a partition of this country, as was contemplated by M. Ferry when in office five years ago.

I have, &c.
(Signed) HERBERT E. WHITE.

Consul Ricketts to the Marquis of Salisbury.—(Received March 26.)

E
(No. 17.)
My Lord,

Tunis, March 19, 1889.

I HAVE the honour to transmit herewith inclosed to your Lordship a Decree of the Bey in reference to the marking out a new boundary-line between Algiers and Tunis, for the purpose, it is affirmed, of putting an end to tribal disputes on the part of the frontier lying between Tebessa and Chott Rharsa.

If these disputes have existed they cannot have been of any great importance, nothing having been heard about them at Tunis.

I have, &c.
(Signed) G. T. RICKETTS.

Inclosure in No. 213.

Décret du 19 Sfar, 1306 (25 Octobre, 1888).

(Louanges à Dieu.)

VU l'accord intervenu entre notre Gouvernement et celui de l'Algérie à l'effet de désigner deux Délégués ayant pour mission de déterminer les limites qui sépareront définitivement les tribus Tunisiennes des Od. Nedji, Od. Ouazez, Od. Sidi Abdel Melek, Od. Sidi Tlil, Od. Slama, Od. Sidi Abid, Od. Sidi Abid-el-Hemadi, Tamerza, et Urdès, des tribus Algériennes des Od. Sidi Abid, Brarcha, et Alaouna, depuis le Khanguet-el-Mouhad jusqu'au Chott Borne;

Attendu que, conformément à cet accord, ont été désignés :

M. Simon, Lieutenant au 77^e Régiment d'Infanterie, officier de renseignements de première classe du Cercle de Gafsa, par notre Gouvernement, et M. Minet, Lieutenant au 63^e Régiment d'Infanterie, adjoint de première classe au Bureau Arabe de Tébessa, par le Gouvernement de l'Algérie;

Vu le Rapport de la Commission et les procès-verbaux accompagnés d'un plan fixant les limites qui ont été signés d'un commun accord le 1^{er}, le 4, le 6, le 7, et le 8 Mai, 1888;

Considérant qu'il importe de mettre un terme à toutes contestations entre les tribus Tunisiennes et les tribus Algériennes susmentionnées,

Nous avons pris le Décret suivant :

Article 1^{er}. Sont approuvées les limites déterminées et indiquées dans les procès-verbaux, le rapport, et le plan susvisés, qui resteront annexés au présent Décret pour faire foi en cas de besoin.

Art. 2. Notre Premier Ministre est chargé de l'exécution du présent Décret.

Vu pour promulgation et mise à exécution.

Le Ministre Plénipotentiaire, Résident-Général
de la République Française,
(Signé) J. MASSICAULT.

Tunis, le 4 Mars, 1887.

No. 214.

Consul Ricketts to the Marquis of Salisbury.—(Received March 26.)

(No. 19.)
My Lord,

Tunis, March 19, 1889.

I HAVE the honour to transmit herewith inclosed to your Lordship a Notice, from which it appears that the railways are to be extended from Djedeida, near Tunis, to Bizerta, and from Tunis to Susa, with branches to Nebeul, Kairuan, and Zaghouan.

I have, &c.
(Signed) G. T. RICKETTS.

DIRECTION GÉNÉRALE DES TRAVAUX PUBLICS.

Avant-projet des Chemins de Fer de Tunis à Bizerte, au Sahel et à Zaghouan.

ENQUÊTE ADMINISTRATIVE.

Avis.

LE public est prévenu qu'une enquête d'un mois est ouverte sur les avant-projets étudiés par la Compagnie de Bône-Guelma, en vue de l'établissement de chemins de fer dans les directions ci-dessus indiquées :—

1. De Djedeida à Mateur et Bizerte.
2. De Tunis à Sousse, avec embranchements sur Nebeul, sur Kairouan, et sur Zaghouan.

Les intéressés donneront leur avis sur le degré d'urgence des lignes et de leurs embranchements, soit sur les tracés, soit sur les emplacements proposés pour les stations.

Ils feront connaître, en même temps, les offres de concours, en argent, terrain, ou matériaux, &c., qu'ils s'engageraient à fournir pour faciliter l'exécution de ces lignes.

A cet effet, un exemplaire des avant-projets accompagné d'un registre d'enquête, sera déposé à chacun des Contrôles Civils de Tunis, de Bizerte, de Nebeul, de Kairouan, et de Sousse.

Les observations devront être inscrites sur le registre et signées.

Des avis insérés au "Journal Officiel" feront connaître, pour chaque Contrôle, les jours et heures auxquels les dossiers seront mis à la disposition du public.

Les registres seront ouverts, le Lundi, 18 Mars courant, et arrêté le 17 Avril au soir.

Le Directeur-Général des Travaux Publics,
(Signé) MICHAUD.

Tunis, le 8 Mars, 1889.

No. 215.

Consul Ricketts to the Marquis of Salisbury.—(Received March 26.)

(No. 20.)
My Lord,

Tunis, March 19, 1889.

A FEW days ago M. Regnault, the Acting Resident, sent to me to know if I was willing to name some one (a doctor of medicine) who, representing the British community, would act on the Commission established by a Decree of the 3rd January, 1889, a copy of which is herewith inclosed.*

I told M. Saserach de Forge that I should be very glad to assist the Commission, but that I could not take any steps in this matter without first informing Her Majesty's Government; adding, at the same time, that, if such a course was adopted, it would, I thought, be right that the Bey's Government should, on their side, give a written declaration to the effect that the houses of British subjects should not be entered without the consent of this Consulate, this being in accordance with the Treaties bearing on this matter and the rights acknowledged by the Capitulations. My Italian colleague, who entertains the same opinion on this matter, has, I believe, written thereon to his Government.

It will be observed from the constitution of this Commission that, there being some fourteen French members, the English and Italian Representatives, on any question arising, would invariably find themselves in the minority.

I have, &c.
(Signed) G. T. RICKETTS.

No. 216.

The Marquis of Salisbury to Mr. White.(No. 16.)
(Telegraphic.)*Foreign Office, March 26, 1889, 3.45 P.M.*

EASTERN TELEGRAPH COMPANY suggests that when cable is relaid their agent at Gibraltar, M. de Sauty, should be asked, by telegraph, to proceed at once with an assistant to Tangier to splice the sea portion to the land portion.

No. 217.

The Marquis of Salisbury to Mr. White.—(Substance telegraphed.)

(No. 36. Ext. 16.)

Sir,

Foreign Office, March 26, 1889.

I HAVE to acquaint you that the Eastern Telegraph Company have made a suggestion that when the Gibraltar-Tangier cable is relaid, M. de Sauty, the agent of the Company at Gibraltar, should be requested, by telegraph, to proceed to Tangier immediately, accompanied by an assistant, for the purpose of uniting the sea and land portions of the cable.

I am, &c.
(Signed) SALISBURY.

No. 218.

The Marquis of Salisbury to Mr. White.

(No. 38.)

Sir,

Foreign Office, March 26, 1889.

I HAVE received your despatch No. 29 of the 8th instant, in which you ask for instructions as to the disposal of the money to be paid in compensation to the victims of the Cape Juby outrage by the Moorish Government, and I have to instruct you to remit to this Office the amount, when received, by a bill or bills payable to the order of the Chief Clerk.

I am, &c.
(Signed) SALISBURY.

No. 219.

Foreign Office to Sir J. Lee.

Sir,

Foreign Office, March 26, 1889.

WITH reference to my letter of the 21st instant, I am directed by the Marquis of Salisbury to inform you that Her Majesty's ship "Goshawk" returned on the 24th instant to the Canaries from Cape Juby owing to bad weather.

The Commander of the "Goshawk" reported that the state of affairs was satisfactory when he left Cape Juby, but he proposed to call there again, when the weather improved, on his way to Gibraltar.

I am, &c.
(Signed) P. CURRIE.

No. 220.

Admiralty to Foreign Office.—(Received March 27.)

Sir,

Admiralty, March 26, 1889.

WITH reference to your letter of this day's date, forwarding paraphrase of a telegram from Mr. White relating to the Tangier cable, I am commanded by my Lords Commissioners of the Admiralty to transmit, for the perusal of the Secretary of State for Foreign Affairs, copy of a letter from Vice-Admiral Baird, dated at Tangier

20th March, calling attention to certain points should he be instructed to use force to repair the cable.

I am, &c.
(Signed) EVAN MACGREGOR.

Inclosure in No. 220.

Vice-Admiral Baird to Admiralty.

Sir, "Northumberland," at Tangier, March 20, 1889.
WITH reference to the object of the visit of squadron under my command to Tangier, namely, to remain until telegraph cable is repaired, with a possibility of being instructed to use force to effect this result, I request you will inform the Lords Commissioners of the Admiralty that the following points suggest themselves to my mind, in view of Her Majesty's Government deciding that the cable shall be repaired notwithstanding the Sultan's objection, viz.:—

(1.) Men might be landed without opposition. On departure of squadron, the Moors would probably destroy the new cable.

(2.) Landing a force might be opposed, and consequent collision with Moors. Guns in the fortress would fire on landing party, which it would be impossible to return without causing loss of life, and destruction to property of foreign Legations and subjects of friendly Powers.

(3.) Moors being a fanatical race, any act of hostility on our part might result in the populace rising, and committing damage to the property and persons of foreigners.

2. In the first case, the destruction of the new cable would necessitate further proceedings.

As regards cases (2) and (3), there could be no guarantee that the Moors would not fire on the landing party, and as heavy guns are placed in batteries on the face of the town, it would be necessary to give foreign Powers timely notice of any intended act of hostility, in order that arrangements be made to secure the safety of the large numbers of foreign residents.

3. These considerations would of necessity influence such action as their Lordships may direct me to take, and I have therefore to request that any representation from Her Majesty's Minister for Foreign Affairs, having in view the adoption of coercive measures by the squadron, may be considered by their Lordships in the light of the above not improbable consequences.

I have, &c.
(Signed) J. K. E. BAIRD.

No. 221.

The Marquis of Salisbury to Mr. White.(No. 17.)
(Telegraphic.)*Foreign Office, March 27, 1889, 11.45 A.M.*

YOUR telegram No. 13.

Inform Moorish Government we cannot wait after this week, and Company will begin to repair cable on the 1st proximo.

You will arrange accordingly with Company's agent at Gibraltar.

No. 222.

The Marquis of Salisbury to Mr. White.—(Substance telegraphed.)

(No. 37. Ext. 17.)

Sir,

Foreign Office, March 27, 1889.

I HAVE received your telegram No. 13 of the 25th instant, in which you state that no reply has yet come from the Sultan of Morocco in regard to the Gibraltar-Tangier cable.

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I have to instruct you to inform the Moorish Government that Her Majesty's Government cannot delay the matter after the current week, and that the Telegraph Company will commence the repairs of the cable on the 1st proximo.

You will make the necessary arrangements with the agent of the Company at Gibraltar.

I am, &c.
(Signed) SALISBURY.

No. 223.

Foreign Office to Admiralty.

Sir,

Foreign Office, March 27, 1889.

WITH reference to my previous letter of yesterday, I am directed by the Marquis of Salisbury to state to you, for the information of the Lords Commissioners of the Admiralty, that Her Majesty's Representative at Tangier has been instructed, by telegraph, to inform the Moorish Government that the time to be allowed for the receipt of the Sultan's reply respecting the Tangier cable cannot be extended beyond the end of this week, and that the work of repair will be commenced on the 1st proximo.

I am to add that a communication has been received from the Eastern Telegraph Company suggesting that their agent at Gibraltar, M. de Sauty, should be requested, by telegraph, to proceed at once, with an assistant, to Tangier when the cable is relaid to splice the sea portion to the shore end, and Mr. White has been instructed to arrange accordingly with the Company's agent.

I am, &c.
(Signed) P. CURRIE.

No. 224.

Consul Ricketts to the Marquis of Salisbury.—(Received March 28)

(No. 21.)

My Lord,

Tunis, March 19, 1889.

I HAVE the honour to transmit herewith inclosed to your Lordship an affidavit made in this Consulate by Mr. G. Licari, a British subject, spoken of in my despatch No. 32 of the 24th December last year.

In this affidavit Mr. Licari complains—

1. That, on the 17th October, 1888, he had been condemned by the French Tribunal to pay 200 fr. because he broke the seal placed on a cask of wine by the authorities.

2. That, on the 20th December last, the authorities of the Municipality, accompanied by the police, entered his premises and sealed up five qualities of liquors, the product of his manufacture, amounting to 3,000 litres, without permitting him to retain any samples, or to allow any samples to be retained for the inspection of this Consulate.

3. That the French Tribunal had condemned him to fifteen days' imprisonment, together with a fine of 500 piastres and the destruction of the goods seized in value of 4,000 fr., notwithstanding samples of the same stuff had been examined by other experts in Paris and Tunis, and found perfectly good; in addition to which, the sentence is to be published in the two principal newspapers of this place.

4. That his three brothers, two of whom were employed by him, were condemned to eight days' imprisonment and a fine of 300 piastres each.

As regards the first point, on the 2nd August, 1888, an order was issued by the Municipality of Tunis, stating that wine containing "acide salicylique" (i.e., salicylic acid), and in which there may be found more than 3 grains of sulphate of potash per litre, was injurious to the health, and that it was to be thrown away.

In consequence of this order I called on the Acting Resident, told him that, as this wine had been allowed to be imported, and as, according to the declaration of the most respectable merchants, it did not contain more than 4 grains of sulphate of potash and no "acide salicylique," such a measure would prove prejudicial to the interest of our traders. On this M. Regnault agreed that no action should then be taken, and that two months should be allowed, during which the wine on hand might be sold. After this, the wine merchants were to conform to the orders issued.

Mr. Licari, who is one of the principal traders here, and who appears to have had one of his casks sealed up, finding that the seal was not taken off by the authorities, twenty days having expired out of the two months, broke the seal so as to take advantage of the delay given. On account of this, he was fined by the French Tribunal 200 fr. I must say that this sentence appears to me to have been very severe, and not warranted by the act complained of.

As regards the second point, Mr. Licari's advocate having contended that the samples did not contain anything prejudicial to health, demanded that some of them before the Court should be sent to Paris or given to other experts to be examined, but this was not allowed, the Court stating that they had been already sufficiently analyzed, and that those analyzed privately through Mr. Licari were probably of a different quality. I myself, when I heard of the seizure in question, sent the interpreter of this Consulate to the Procureur, and requested also that certain of the samples should be intrusted to this Consulate. This, too, was refused. During the trial also Mr. Licari's advocate endeavoured to find out what was the proportion of "l'houille de goudron" which Mr. Licari had been accused of mixing with his liquors, but the analysis of the Government experts was not put forward, so that it could be examined either by Mr. Licari's lawyers or doctor; and this is the very essence of the case, it being an ascertained fact that "l'houille de goudron," in certain quantities thus used, is not prejudicial to health. The sentence, therefore, of the French Tribunal would from this appear to me to have been very arbitrary, and, even if legal by French law, it is certainly not equitable, Mr. Licari having been thus deprived of the means of proving his innocence.

Further, it is not easy to understand if Mr. Licari be held responsible, why his employés should be subject to any imprisonment or fine. For if this principle be admitted, the servant would then be made liable for the acts of his master, a matter altogether unreasonable.

In conclusion, I would especially beg to draw your Lordship's attention to that part of the affidavit in which Mr. Licari states that, on the 20th December last, his house was entered by the Municipal authorities, accompanied by the police, and his goods sealed up and sequestered to the value of 4,000 fr.

Here then would appear to have been an entrance of domicile by the Municipal authorities and the police. No notice, I am told, was served on Mr. Licari by an order of the Court. The Commissaire of the Police himself, who placed the seals on the goods in Mr. Licari's establishment, told M. Carbonaro that this was done by the order of the Municipality, and not by order of the Procureur or Tribunal, adding, at the same time, that the President of the Municipality is an assistant of the Procureur, and that he has a right to act in that capacity. As, however, no such power was invested in the President of the Municipality and the Chief of the Police, according to the terms of the Act of 1883, one is led to the conclusion that this conduct of the Municipal authorities was in this country, whatever it may be considered in France, a usurpation of that power which alone belonged to the French Court, and, if this be admitted, ought not the seizure of this property to be held illegal?

Should your Lordship be of opinion that the entrance of the establishment of Mr. Licari, as above described, was contrary to the terms of the Act of 1883, and a violation of the rights mentioned in Article V of the Treaty of 1875, and in the Treaty of 1868, together with those derived from the Capitulations acknowledged in Article II of the Italian Treaty of 1834, it is to be hoped that representations will be permitted to be made on this subject at Paris, with the view of stopping any further proceedings, and indemnifying Mr. Licari for his losses sustained.

Mr. Licari's actual losses are 6,750 fr. In addition to this, if the act of the authorities be held illegal, he is entitled to something for the damage caused to his business.

I did not enter a protest at the time of the seizure, having only received your Lordship's instruction on this subject of the 20th February, despatch No. 22, a short time ago.

It is here worthy of remark that about the same day a French subject named Girou was condemned only to a fine of 300 piastres, whereas Mr. Licari was condemned, as before mentioned, to a fine of 500 piastres, fifteen days' imprisonment, and the publication of his supposed fault in two newspapers of this place.

Herewith inclosed will be found the opinion given by Dr. Casanello, a witness of Mr. Licari in this case.

I have, &c.
(Signed) G. T. RICKETTS.

Inclosure 1 in No. 224.

Affidavit of Mr. G. Licari.

(Translation.)

I, THE Undersigned, Giuseppe Licari, a merchant and British subject residing at Tunis, make oath and say, that on about the end of November last some persons employed by the Municipality presented themselves at my establishment, Rue d'Espagne, and asked for samples of all sorts of liquors manufactured by me. I made no opposition, and delivered to them what they asked for, because I thought I had no right to offer resistance, as, in a similar case a few months previous, I had recourse to the Consulate without any result, having been condemned by the French Tribunal of Tunis to pay 200 fr. because I had broken the seal of a cask of wine, but this was after the permission granted by the authorities to sell the same wine within two months, of which about twenty days had already elapsed without the Municipality having taken the trouble to take away the seal, that I might enjoy the term granted for the sale of my wine.

Subsequently to this, on about the 20th December, 1888, the same persons of the Municipality, accompanied by the police, on a Sunday came to my establishment, and put under seal five sorts of liquors manufactured by me, about 3,000 litres, without even allowing me to retain samples in order to control the examination of the chemist employed by the Government. I have also asked for samples through the medium of the British Consulate, but in vain.

I have other deposits of the same liquors, which I have had examined by chemists of Paris and Tunis, with results always in my favour; but the Tribunal has condemned me, stating that, as all the quantity in my establishment had been seized, I might have ordered better qualities to be examined. Consequently, I have been condemned to pay a fine of 500 piastres, fifteen days' imprisonment, and the destruction of the goods sequestered of the value of about 4,000 fr. And not solely this, but my three brothers also were condemned because two of them are employed by me and the other because in his shop he sold liquors manufactured by me, say eight days' imprisonment and 300 piastres each as a fine. I have appealed to this Judgment, which I consider iniquitous.

(Signed) G. LICARI.

Tunis, March 16, 1889.

Sworn at Tunis this 16th day of March, 1889.

Before me,

(Signed) G. CARBONARO, British Pro-Consul.

Inclosure 2 in No. 224.

Extract from the "Tunis-Journal."

M. le Rédacteur-en-chef du "Tunis-Journal,"

Tunis, le 14 Mars, 1889.

DANS un article intitulé: "Police Correctionnelle; les liqueurs frelatées," paru dans le Numéro 599 de votre journal du 9 Mars courant, à propos des débats qui ont eu lieu le 27 Février dernier, relativement à l'affaire Giuseppe Licari, vous vous êtes permis des appréciations, à mon égard, auxquelles, personnellement, je n'aurais attaché aucune importance; mais, en ce qui a rapport à Mr. Licari, qui a bien voulu me confier le soin de ses intérêts les plus chers en me chargeant de l'analyse des produits de sa fabrication, je me crois dans le devoir de relever énergiquement ces appréciations erronées et de les réfuter comme elles le méritent.

Il ne m'appartient pas de discuter ici la valeur d'analyses contradictoires exécutées sur les mêmes liqueurs, à deux époques différentes, par le personnel du laboratoire de chimie agricole et industrielle de la Régence.

J'ai encore moins à me préoccuper des titres académiques et du mérite scientifique des chimistes du Gouvernement Tunisien, et surtout de la compétence et du savoir du chimiste distingué qui dirige le laboratoire Beylikal.

Ce qui m'intéresse, moi, c'est que les faits qui me touchent de près, et qui ont un rapport immédiat à la question Licari, ne soient pas dénaturés, comme cela a eu lieu, sans doute involontairement, dans le compte rendu de votre chroniqueur.

Je me permets donc de faire appel à votre impartialité bien connue pour que vous

veuillez bien, aux termes de la loi, insérer la présente rectification dans l'un des plus prochains numéros de votre journal.

Appelé devant le Tribunal Correctionnel de Céans, comme témoin dans l'affaire Licari, j'ai déclaré, après serment prêté, qu'ayant examiné chimiquement six échantillons de la maison Licari (sirop de gomme, sirop de groseilles, cassis fin, liqueur de menthe, rhum, et fernet), et dix échantillons de matières premières qui servent à leur fabrication (alcool, sucre, suc de groseilles, suc de framboises, essence de menthe, caramel, orseille, couleur d'indigo et curcuma), je n'avais rien trouvé qui pût être considéré comme nuisible à la santé. Et, encore aujourd'hui, publiquement, sur mon âme et conscience, je confirme complètement cette déclaration.

D'ailleurs, ces résultats, contrairement à ce qui a été affirmé dans votre journal, ont été confirmés entièrement par les analyses du Dr. Cazeneuve, Professeur à la Faculté de Médecine de Lyon. Le Dr. Cazeneuve dit formellement que les liqueurs fabriquées par Mr. Licari ne sont pas nuisibles à la santé.

Pour ce qui a trait à la substance jaune que M. le Professeur Cazeneuve a remarquée dans le fernet et dans la liqueur de menthe, et qu'il attribue à un dérivé du goudron de houille, en déclarant toutefois que cette substance n'était nullement nuisible à la santé, moi aussi j'avais trouvé cette matière colorante, ainsi qu'il a été consigné dans mon Rapport et comme je l'ai déclaré par-devant le Tribunal, mais j'avais reconnu, en outre, qu'elle provenait du curcuma et du caramel employés par Mr. Licari à colorer ses liqueurs, et non pas de dérivés du goudron de houille.

M. Bertainchand, Directeur du Laboratoire de Chimie de la Régence, demanda alors de M. le Président du Tribunal la permission de me poser quelques questions. Il voulut savoir, d'abord, les procédés que j'avais employés dans mes analyses.

Je me prêtai de bon gré à les lui faire connaître, en lui indiquant, en détail, la marche que j'avais suivie et les réactifs employés, et je lui déclarai en même temps que toutes les opérations énoncées je les avais consignées, avec les développements qu'elles comportaient, dans mon Rapport d'analyses.

Ne semblant pas encore satisfait par ces renseignements, M. Bertainchand me demanda les quantités des liqueurs et des réactifs employés.

A cette étrange question, relativement aux détails concernant seize analyses différentes, posée à un chimiste qui n'en était pas à ses premiers essais, bien qu'il n'exerce plus actuellement cette profession, je me suis refusé de répondre, en disant à M. le Président que mon Rapport répondait complètement aux exigences de M. Bertainchand, que je croyais avoir été appelé en qualité de témoin et non pas pour subir un examen de chimie à Tunis, puisque, après des cours réguliers, le profit de mes études avait été suffisamment reconnu par MM. les Professeurs de la Faculté de Mathématiques de l'Université Royale de Bologne, qui les ont sanctionnées par le titre de Docteur es Sciences Physico-Chimiques, qui m'a été accordé le 13 Juillet, 1867.

J'aurai pu ajouter encore que, bien qu'exerçant actuellement la médecine à Tunis, j'avais été toutefois Professeur de Chimie Générale, Industrielle, et Agricole, à l'Institut Industriel et Professionnel de la Province de Terre de Bari, et que cette chaire, que j'ai obtenue au concours par examen, je l'ai occupée pendant trois années consécutives.

Voilà, M. le Rédacteur-en-chef, la vérité vraie sur les faits qu'il m'intéresserait de voir rectifiés.

(Signé) DR. N. S. CASSANELLO,
Ex-Professeur de Chimie Pure et Appliquée.

No. 225.

E Mr. White to the Marquis of Salisbury.—(Received March 28.)

(No. 39.)

My Lord,

Tangier, March 21, 1889.

WITH reference to your Lordship's telegram No. 12 of the 16th instant, instructing me, on the settlement of the question that has arisen out of the desire of the Eastern Telegraph Company to repair their cable, to press the Moorish Government for a settlement of the claim of the North-West African Company at Cape Juby, I have the honour to transmit to your Lordship herewith translation of a letter I have received from Cid Emfadh Gharnit, in reply to the letter addressed to him on the 11th ultimo by Sir W. Kirby Green, in accordance with the instructions contained in your Lordship's despatch No. 4 of the 14th January.

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In this letter the Vizier recapitulates the various points mentioned in Sir W. K. Green's letter, and endeavours to reply to them categorically.

It is not necessary that I should trespass upon your Lordship's time by following the Vizier through the somewhat confused arguments he puts forward: I need only say that in the archives of this Legation I can find no letters of Sir John Drummond Hay in the sense mentioned by the Vizier, and I conclude that his Excellency is referring to what Sir J. D. Hay wrote regarding Englishmen landing in Soos for the purposes of carrying on a contraband trade; and possibly, also, to arguments used to persuade the Sultan to open ports in Soos, when, it was urged, the trade of the Soudan would be attracted to the new ports, which would be in a position to compete with Cape Juby.

I thought it advisable to address a letter to Cid Emfadl Gharnit, acknowledging the receipt of his letter, and informing him that I was forwarding it to your Lordship, but pointing out at the same time that it could only be regarded as unsatisfactory. In this letter I have not pressed for a settlement of the question, as I conclude, from the terms of your Lordship's above-mentioned telegram, that it is not desired to complicate the cable question by pressing the Cape Juby claim till the former has been disposed of.

I have the honour to transmit herewith translation of this letter, as also the draft of a further letter which, subject to your Lordship's approval, I propose to address to the Vizier after the cable question has been arranged. In this latter note, as your Lordship will observe, I propose to inform the Vizier that Her Majesty's Government considers the discussion closed, and insists on the satisfaction of the claim without further loss of time. I make no mention of the personal compensations, as I trust that these will have already been paid. Should, however, this hope be disappointed, I might add a paragraph urging the immediate payment.

I have deemed it advisable, even should a favourable reply regarding the cable be received in the meantime, to delay pressing for a settlement of the Cape Juby claim until I shall have been favoured with your Lordship's reply as to the note I propose to address to the Vizier, for your Lordship would probably wish to be in possession of Cid Emfadl Gharnit's letter before giving me your Lordship's instructions. The delay that will occur need only be very short if your Lordship will communicate to me your decision by telegraph.

Before closing this despatch I will venture to add, that I fear it will be a very difficult matter to accomplish a settlement of this unfortunate question without resorting to more active measures than we have hitherto found it necessary to have recourse to. The Sultan has undoubtedly always been much incensed at the presence of the Company at Cape Juby, which place, notwithstanding the arguments that have been adduced, His Majesty persists in considering as an integral portion of his dominions, and in this view His Majesty has probably been confirmed by the opinions expressed to him by certain of the foreign Representatives. It will be within your Lordship's recollection that, when Sir W. Kirby Green was at the Shereefian Court in 1886, and an agent of the Company was also at Morocco in hopes of being able to negotiate an amicable settlement, the Sultan refused even to allow the matter to be discussed. Looking, then, upon this question as one in which the right is on his side, and feeling that his prestige in this country will seriously suffer by a tame surrender of such right, His Shereefian Majesty will be very disinclined to yield except under great pressure. The fact that, notwithstanding the strong representations that have been made, in accordance with your Lordship's instructions, His Majesty has dispatched a considerable body of troops to Cape Juby; as also the attitude His Majesty has chosen to adopt with regard to the cable question, issuing orders to all the Governors on the seaboard to be in readiness to repel any attempt to lay a cable, exciting a general feeling of alarm and expectation of war throughout the country, tend to confirm the view that His Majesty may be under the impression that he can successfully resist the claim put forward by Her Majesty's Government, which, as His Majesty probably trusts, will not be willing to carry matters so far as to open hostilities.

I have, &c.
(Signed) HERBERT E. WHITE.

Inclosure 1 in No. 225.

Cid Emfadl Gharnit to Sir W. K. Green.

(Translation.)

(After compliments.)

I HAVE received your letter (saying) that you have communicated to your Government the three letters sent to you on the Cape Juby question, and that your Government has answered you on the subject in the manner set forth in your letter in seven paragraphs, (in) the first of which (you state) that your Government holds the Moorish Government responsible for the losses sustained by the Company in its trade at the aforesaid place in consequence of the obstructive attitude of its officials; (in) the second (you state) that our honoured friend the Secretary of State for Foreign Affairs has commanded you to inform us that in one of the above letters it is admitted that his Government did not recognize that Juby belongs to the dominions of the Empire of Morocco at the time that the Company landed there; (in) the third (you state) that the Secretary of State had also mentioned that in the interval which elapsed between the assertion by the Moorish Government of its authority over the tribes neighbouring to Juby and the establishment of the Company there, the Company had established relations of friendship and commerce with those neighbouring tribes, and that these were thereupon interrupted through the action of the officials of the Moorish Government; the fourth (states) that no intelligence has reached foreign Powers of the extension of the Moorish dominion to the south of Wad Draa, and that there is also no proof of this in the possession of the British Government; the fifth (states) that the above-mentioned Secretary of State urges the Moorish Government not to gainsay the rights of foreigners who were at that place before the Moorish Government succeeded in establishing its authority there; the sixth (states) that the friendly Government protests against the Shereefian Government, if it should compel the Company to abandon Juby without compensation for the losses sustained by it in its trade through the opposition of the officials of the Moorish Government; the seventh states that the friendly Government has declared that it cannot (consent) that this matter be treated with it through a Special Envoy from the Sultan until an answer be received to that letter. I have communicated your letter to the knowledge of our lord [may God make him victorious], and His Majesty has acquainted himself with its contents, and has commanded me to answer you on each of the seven aforesaid paragraphs in the manner detailed below.

Answer to the first paragraph. When the Company landed at Tarfaya the principal men of the tribe of Tekna reported the fact to the Moorish Government, and made known to it that this place was in the country of their brethren, the Ait Jemel, who belong to the Empire of Morocco, and they stated that, when they attempted to restrain them, Mackenzie, the Chief of the Company, told them that they (the Company) were landing with the permission of the Moorish Government, and that a letter from this Government was in their possession. The Moorish Government answered that they had given no such permission, and had given no letter to them (the Company), and ordered them (the principal men of the tribe) to have nothing to say to them nor turn them away if they remained out at sea, but if they should come to the land to oppose them and not to deal with them. The Moorish Government inquired if the merchants* had before that time gone out (to the land) at that place, and they (the principal men) answered that they did so sometimes in the wool season, as well as at some other landing places, such as El-Baida and El-Harisha, &c., in an underhand manner, and met together with the common people of the inhabitants of the coast, not with the tribes who are in the interior of the country, stealthily, and bought from them wool and returned, and did not land on the coast (permanently), and that they did this by surprise and furtively without the consent of the principal men of the tribes. The truth of their report, that the Company had stated that it had landed with the permission of the Moorish Government, and held a letter from the same, is confirmed by the fact that their Chief, Mackenzie, told the Secretary, Sid Muhammed Gabbas, when he was sent to them, that they had established themselves with the permission of the Minister, and that he (Sir John Drummond Hay) had told them that that spot did not belong to the Empire of Morocco. The Moorish Government then wrote to the Minister of the (British) Government at Tangier, and brought this to his knowledge, and explained to him that the place belonged to the Government of Morocco, because it is in the territory of the Ait Jemel of Tekna, the latter being publicly known to be one of the tribes of the Empire of Morocco, whose brethren belong to the "Geish" of the

* It is not quite clear whether merchants in general or these particular merchants are meant.—G. V. P.

Government. The Minister answered that the aforesaid place is outside the boundaries of this Empire, and that, even if it belonged to the Empire, the (British) Government had no way of preventing a Company of its subjects from carrying on trade at that place, owing to the freedom (of its Constitution), but that, when the hand of the Moorish Government should reach that place and its Administration be carried on there, (the Moorish Government) might lay hands on the Company, and have their persons and property in safe keeping, and deliver them up to him (the British Minister).

All this took place immediately upon the landing of the Company at that place, and no time elapsed between that event and the (commencement of) negotiation on the subject, except the time required for the news of the landing to reach His Shereefian Majesty and to be transmitted to Tangier; that is, a little more or a little less than a month. You can ascertain this from the answers sent you from the Shereefian Court on this subject, which are in your possession, to the letters of the Minister, which are in the Sultan's possession. When the Minister returned that answer to the Moorish Government, and said that if the latter should extend its dominion to that place he would do what is above stated, the Moorish Government applied itself with energy to moving towards that place, and took the trouble to go there at that time, which was one of scarcity and famine, and made the arrangements which the time and the situation rendered necessary in the affairs of those tribes, but did not carry this work through to completion. Later on the Government moved thither a second time, and investigated their affairs and renewed the organization of their tribes, and gave them Governors and placed guards all along from Aglou to the anchoring places beyond Juby, and sent some one who renewed the protest against the Company (stating) that if any harm should befall them the responsibility would be on themselves and nobody else, but they answered that their Minister had ordered [*sic*] them to land at that place.

Answer to the second paragraph, as to the friendly Government not having admitted Juby to belong to the Empire of Morocco. Let the (British) Government make inquiry as to the commercial agents (Semsars) belonging to the Company among the natives of the place, and if they be found to belong to Tekna the British Government will be convinced that the place belongs to Morocco, as that tribe is known to every one as one of the tribes of the Empire, and the greater part of the "Geish" of the Government is taken from it; but if they be found to belong to another tribe, then let it not recognize what is above stated.

Answer to the third paragraph. No time elapsed between the landing of the Company at Juby and the consolidation of the authority of the Moorish Government there, because as soon as they landed the principal men of the adjoining tribes informed the Government of the fact, and discussion ensued between the Moorish Government and the Company, as also with the Minister, as stated above under the first paragraph.

Answer on the fourth point, as to no intelligence having reached foreign Powers of the extension of Moorish rule to the south of Wad Draa. Such intelligence did reach them, and the Sultan has in his possession letters congratulating his Government on the fact. A proof of such extension is to be found in the fact, that the Moorish Government brought back the seven German Christians from the district of that river. If the Government had no jurisdiction there, how should they have been delivered over to it?

Answer on the fifth point. The Moorish Government does not disallow the rights of foreigners, and treats them equitably whenever right is palpably on their side. The aforesaid Company has no case against the Moorish Government, but they have a case against those who have allowed them to establish themselves there without the permission or consent of the Moorish Government.

Answer to the sixth paragraph, as to the protest of the friendly Government against the Moorish Government, warning them not to compel the Company to withdraw from Juby without compensation for the loss of its trade. The friendly Government is one of the greatest and wisest Governments, and of those most mindful of justice. It will consult the answers of His Shereefian Majesty on this matter, and examine the documents in possession of His Shereefian Majesty, which will be sent to you in order that you may forward them, and then it will see whether the Moorish Government has or has not a right to expel the Company from Cape Juby without compensation for the loss of its trade.

Answer on the seventh point, as to the impossibility of sending the Special Envoy to the friendly Government for the treatment of the question of this indemnity claimed by the Company for the loss of its trade, until the arrival of an answer to your letter. This is the answer to your letter; therefore, send it to your

Government, and when the documents are collected together, they will be sent to you that you may forward them also. More than this may occur between friends, and justice is done between them, and their friendship is not lessened nor changed. As to the 25,000 dollars which were demanded by way of indemnity for the murder of the English merchant at Cape Juby, and the wounding of two of his companions, a Shereefian order has been sent to Sid El Hadj Mohammed Torres to obtain the money from the Administrators of Customs at Tangier, and pay it over to you, as I have already informed you.

Finished the 25th Jumadi II, 1306 (25th February, 1889).

(Signed)

MUHAMMAD EL MUFADDAL BEN
MUHAMMAD GHARNIT.

Inclosure 2 in No. 225.

Mr. White to Cid Emfadl Gharnit.

(Translation.)

(After compliments.)

Tangier, March 21, 1889 (Rejeb 24, 1306).

I HAVE duly received your Excellency's letter of the 25th Jumadi II, in which you reply to the letter which, by direction of Her Majesty's Government, Her Majesty's Minister addressed to you on the 11th February (10th Jumadi II), acquainting you that Her Majesty's Government held the Sultan responsible for the injuries inflicted on the trade of the Company, and for any further injuries they might sustain at His Majesty's hands.

I have already transmitted to Her Majesty's Government a translation of your Excellency's letter, and it will be for them to decide as to the nature of the communication to be made in reply, but, in the meantime, I cannot conceal from your Excellency the regret that I, as a friend and well-wisher of this country, feel at the unsatisfactory manner in which the Shereefian Government has thought proper to meet the just claim of Her Majesty's Government. This claim was not put forward until Her Majesty's Government had given the whole matter their most careful consideration, and had examined all the documents and correspondence bearing on the question, including the letters that passed between Sir John Drummond Hay and Cid Mohammed Bargash and Cid Mokhtar, copies of all of which are in the possession of Her Majesty's Government, and which it is therefore needless for you to send. It is a mere waste of time to repeat arguments that have already been put forward, and on full consideration been found futile. Such a course can only be regarded by Her Majesty's Government as an attempt to procrastinate, and will wear out their patience, which is already nearly exhausted.

It is not for me to enter into any argument with your Excellency as to the rights of the Company to have established themselves at Cape Juby, or to discuss the points mentioned in your letter. I may, however, mention that your Excellency appears to have misapprehended the import of the observations contained in the letter of Her Majesty's Minister, including that portion referring to the Special Envoy it is desired to send to England. Sir William Kirby Green's later letter, dated the 20th February (19th Jumadi II), will have explained to your Excellency that it is a letter offering a satisfactory settlement of this unfortunate question that is required before an Envoy sent by His Shereefian Majesty can be received with that cordiality which is essential to the successful accomplishment of such a Mission. Peace.

(Signed)

HERBERT E. WHITE.

Inclosure 3 in No. 225.

Draft of Note proposed to be addressed to Cid Emfadl Gharnit in reply to his Excellency's Note of February 26, 1889.

(After compliments.)

ON the 21st instant (24th Rejeb) I addressed your Excellency a letter, in a private form, acknowledging the receipt of your letter of the 25th (Jumadi II), and informing you that I had forwarded a translation of it to Her Majesty's Government.

I am now directed by Her Majesty's Secretary for Foreign Affairs to inform your Excellency that all the arguments and allegations put forward therein have been duly weighed and have received full consideration, but that Her Majesty's Government do

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not see any reason for in any way withdrawing from the position they had already taken up after a most careful examination into the whole matter.

I am therefore directed to state to your Excellency that Her Majesty's Government consider the discussion to be now closed, and insist on the settlement without further delay of the claim set forth in the letter addressed to your Excellency by Her Majesty's Minister on the 10th November, 1888 (5th Rebia I, 1306).

I am therefore to request that the necessary orders be issued without delay for the immediate payment of the sum of 50,000*l.* as compensation for the losses suffered by the Company through the hostile attitude adopted towards them by the Shereefian Government.

Should, however, satisfactory assurances be received that the Company shall suffer no further molestation or interference with their trade, I shall be prepared to endeavour to obtain a reduction of the sum claimed to the actual amount of the losses sustained by the Company. Peace.

No. 226.

Mr. White to the Marquis of Salisbury.—(Received March 28.)

(No. 40. Ext. 12.)

My Lord,

Tangier, March 21, 1889.

I HAVE the honour to acknowledge the receipt late last night of your Lordship's telegram No. 14, informing me that the North-West African Company had received intelligence that their storehouse at Cape Juby was surrounded by the Sultan's troops, who had seized their sheep and the men who tended them, and that Her Majesty's ship "Goshawk" was lying off the Cape.

I called upon Hadj Mohammed Torres this morning, and communicated to him this information, asking him how he could reconcile these facts with the assurances he had given me. His Excellency replied that he still had received no tidings from the Court as to the movements of troops to Cape Juby, but that an attack on the British factory was a step of such grave moment that he could not even now believe that the Sultan had ordered it. In the face, however, of the information I had just given him, he admitted that the object of the troops must be to cut off communications between the tribes and the Company. This, as your Lordship will remember, was the opinion I expressed in my despatch No. 26 of the 14th instant, but, at the same time, it must be borne in mind that it is very difficult to forecast what may be the action of an ignorant and inconsequent Government like that of this country.

I have the honour to inclose herewith translation of a further letter I am this day dispatching to the Shereefian Court by express courier, repeating that Her Majesty's Government will hold the Sultan responsible for all that may befall the persons or property of the British subjects.

I have, &c.
(Signed) HERBERT E. WHITE.

Inclosure in No. 226.

Mr. White to Cid Emfadl Gharnit.

(Translation.)

(After compliments.)

WITH reference to my letter of the 14th instant (11th Rejeb), I have to inform you that it has been reported to Her Majesty's Government that the troops to which I referred in that letter have arrived at Cape Juby, and have surrounded the storehouse of the British Company, seizing their sheep and shepherds.

On first hearing that troops were marching towards Cape Juby, I called upon Hadj Muhammed Torres, and inquired of him whether he had any information as to the object of the expedition. His Excellency replied that, although he had no information on the subject, he was convinced that the object of the expedition could not be to take any hostile action against the English Company at Cape Juby, for the Sultan was well aware of the serious consequences that would ensue on such action, and he added that the troops had probably been dispatched to operate against some rebellious tribe in the southern portions of His Majesty's dominions. I had no

hesitation in accepting Hadj Muhammed Torres' assurances, for I knew that the Sultan's Governor would not venture to attack or even interfere with the trade of the English Company without express orders from His Shereefian Majesty, whilst, on the other hand, I shared Hadj Muhammed Torres' conviction, that His Majesty could not have been so ill-advised as to adopt a course fraught with such serious consequences, and that, too, in face of the warnings repeatedly given, and at a time when Her Majesty's Government have put forward a claim for compensation for the damages already suffered by the Company. Happily, one or more of Her Majesty's vessels is at present at Cape Juby, having been sent on the receipt of news of the southward movement of troops from Wad Noon, and thus, whatever intentions the officer in command of this expedition may have had, he will not have ventured to make any actual attack on the factory, or on the British subjects living there; but I shall anxiously await, for transmission to Her Majesty's Government, your Excellency's explanations as to the presence of these troops at Cape Juby, and I can only now repeat that Her Majesty's Government will hold the Sultan responsible for any attack on the persons or property of the British subjects. Peace.

Dated March 21, 1889 (corresponding to the 18th Rejeb, 1306).

(Signed) H. E. WHITE.

No. 227.

Sir Clare Ford to the Marquis of Salisbury.—(Received March 28.)

(No. 40.)

My Lord,

Madrid, March 25, 1889.

I HAVE the honour to transmit herewith to your Lordship translation of an interesting article which appeared yesterday in the "Imparcial" on the subject of the relations of Morocco with other countries.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Inclosure in No. 227.

Extract from "El Imparcial" of March 24, 1889.

(Translation.)

MOROCCO AND EUROPE.—The dispute which has arisen between England and Morocco has been occupying for some days the attention of the newspapers in London, Paris, and Madrid.

The Sultan has sent strict orders to the authorities not to allow of the landing of the cable. The Moors stationed along the northern and western shores of the Empire are watching carefully in order to prevent the landing of the English. Part of the Paris press and a Madrid colleague show a certain fear that England will eventually obtain possession of a portion of Moorish territory under the pretext of the requirements of the telegraphic service and public convenience. Finally, our correspondent at Tangier telegraphs that the English Mediterranean squadron, which is at present at Portsmouth, has received orders to proceed to Tangier, where they will meet with another English squadron, viz., the Channel Squadron, in order to support the claims of the British Government.

Any one unacquainted with the Moorish customs and the way in which diplomatic questions are treated in that country, would think that we were on the verge of serious events, of a war, or at least a bombardment, in short, of contingencies which would demand on the part of Spain action and intervention, most undesirable, but still indispensable.

Fortunately, proceedings which in another country would indicate an inevitable outbreak of hostilities, form part of the ordinary diplomatic usages in Morocco. Angry notes, the dispatch of squadrons, threats of bombardment are but the indispensable steps when European nations are desirous of obtaining from the Sultan concessions which, in a civilized country, would meet with no sort of opposition. In a little more than two years we have seen the squadrons of Italy, the United States, of Portugal, and England on the coast of Morocco threatening that no stone shall be left standing either in Tangier or Mogador unless their claims were satisfied; and notwithstanding, not a single cannon-shot has ever been fired, nor have the ways of Moorish diplomacy in any way changed.

In the present case the same thing will occur. The English will wait patiently for the arrival of the messenger at Tangier from Fez with the answer of the Sultan. The answer of the Emperor will be categoric or enigmatic. Neither will the British squadron throw a single shell on a city like Tangier, where European interests supersede those of the native; and England will not dare to float its banner over any point on the coast because an act of such a character would serve as a precedent for other nations to take possession of other portions of territory with pretexts of a like character, and more or less to be justified, thus annulling, *de facto*, the principle of the integrity of the Moorish Empire.

The new Spanish Minister, Señor Figuera, will arrive in a day or two at Tangier, where, according to information we have received, the Spanish colony are preparing a very warm reception.

The mission of Señor Figuera to Morocco will be a difficult one. The Sultan and his Ministers have been accustomed for the last eleven years to receive no Petition or claim whatsoever on the part of Spain. It will be a cause of surprise and will be somewhat hard to the Moor to find a Spanish Minister who will take the initiative and will bring forward claims which, however just and regular they may be, have seemed to be seas and mountains to a Government such as that of the Sultan, which places obstacles in the way of the erection of a lighthouse which is to be maintained by Europeans in the port of Tangier, and which, in the laying of a cable which will place Morocco in communication with the rest of the world, suspects the dismemberment of the Empire.

Señor Figuera has to obtain, among other things, permission for the establishment of an institute of secondary instruction and of a military school in the same place, or in such a one as the Sultan may select; the fulfilment of the Treaties which are in force relating to Consulates and Missions in the interior, and to the territory of Santa Cruz de Mar Pequeña or other equivalent; greater protection to Spaniards for placing themselves on a level with other Europeans as regards permission for building, &c.; and some other things of the same description.

Will he attempt to overcome the greatest obstacles in order to obtain the smallest of these concessions? There can be no doubt. And that, is there no other remedy than to ask for them and sustain them? It is clear that it is so. And perhaps he may have to appeal to exceptional measures to carry them out, as we cannot remain allowing other countries, which have less political and national interests than we have in Morocco, to take the lead of Spain? This is our duty.

That which happened to Italy, to the United States, and to Portugal, that which is at present happening to England, and which will not delay long in happening to Spain: all this reveals that the system which at present actuates the relations between the European nations and Morocco is faulty.

A country which is so close to Europe cannot withdraw itself from civilized usages to such an extent as to render the dispatch of a squadron necessary each time that such natural claims are made as for the permission to lay a telegraph cable, or for satisfaction for injuries inflicted on subjects of a foreign and friendly people.

In order to ridicule the European nations, the Sultan trusts too much in the rivalry which divides them in so far as Morocco is concerned. But the day is not far distant when the European nations will understand that they cannot be deceived by each other, and that Morocco is a country which has for its device a "*nolli me tangere*," which entails danger to any one who may violate it.

Already the European Governments are becoming so imbued with this idea that an agreement between them at no very distant date for regulating the general rights of the civilized people in Morocco and in other territories of similar character, and the manner of executing them and carrying them into force, will be a work of no difficulty.

No. 228.

Admiralty to Foreign Office.—(Received March 28.)

Sir,

Admiralty, March 27, 1889.

I AM commanded by my Lords Commissioners of the Admiralty to transmit copy of a letter from Vice-Admiral Baird, dated the 18th instant, relative to the Tangier telegraph cable and the Cape Juby question, and I am to request that you will draw the attention of the Secretary of State for Foreign Affairs to the information contained in the seventh paragraph.

My Lords desire me to state that, previous to the request that the Channel Squadron might visit Tangier in connection with the subject of the repair of the submarine cable, that squadron was under orders to leave Gibraltar on the 25th March to return to England for refit, and that it is most desirable that the squadron should leave Tangier to return home to refit as soon as the Cable question is settled.

I am to add, with regard to Cape Juby, that a telegram was received on the 25th instant from Her Majesty's ship "Goshawk" at Las Palmas reporting the state of affairs as satisfactory. The "Goshawk" will again visit Cape Juby on her way to Gibraltar, where she is required to relieve Her Majesty's ship "Grappler," ordered home.

I am, &c.
(Signed) EVAN MACGREGOR.

Inclosure in No. 228.

Vice-Admiral Baird to Admiralty.

Sir,

"Northumberland," at Jeremias Bay, March 18, 1889.

I REQUEST you will inform the Lords Commissioners of the Admiralty that, in pursuance of their telegram, I arrived at Tangier on Friday, the 15th, and at once placed myself in communication with Mr. Consul White, in charge of the Legation, and subsequently had an interview with the Foreign Minister with reference to the cable.

2. A special messenger had already been sent to the Sultan (on the 14th) informing him of the expected arrival of Channel Squadron to insist on the necessary repairs to cable being executed, and that the ships would remain till completed.

3. I informed the Foreign Minister of my instructions to the above effect, and that, if necessary, a force would be landed to guard the men employed on the cable.

4. The usual time occupied by a messenger in proceeding to Fez and back is seven days; but the Minister informed me that, owing to recent heavy rains, it might be longer; and he could not name a day for the reply. This might be an excuse for any unusual delay, but there have been very heavy rains lately, and the roads must be in a bad condition.

5. I am convinced that the Moorish local officers have not power to act in the matter without reference to the Sultan.

6. With reference to telegram of 14th relative to threatened attack on Cape Juby, "Curlew" sailed for that place next day at noon. Commander Norcock was instructed to remain not more than a week, and, if necessary, to telegraph anything of importance from Canary Islands. He was to return to Gibraltar on completion of this service.

7. I am informed by Mr. White that on the 16th he received a telegram from Lord Salisbury, directing him, on the settlement of the cable difficulty, to press the Sultan for a settlement of the Cape Juby question before the departure of the Channel Squadron.

This means another reference to Fez, and probably considerable correspondence; and, as I have received no instructions from Admiralty as to this, I conclude their Lordships are unaware of the message to Legation.

8. I would point out that, should the Channel Squadron be detained for settlement of Cape Juby question, no approximate date could be given for our departure from these waters, as the matter is not one of any recent date, but a dispute of several years' standing.

Of course, I shall take no steps unless instructed by their Lordships.

I have, &c.
(Signed) J. K. E. BAIRD.

No. 229.

Admiralty to Foreign Office.—(Received March 28.)

(Confidential.)

Sir,

Admiralty, March 28, 1889.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, the decypher of a

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telegram dated the 28th instant from Vice-Admiral Baird, at Tangier; and my Lords will be glad to learn if, in the event of the Secretary of State having received news in confirmation of this telegram, he concurs in the proposed departure from Tangier of the ships composing the Channel Squadron, observing that it is very desirable for them to return to England without delay to refit.

I am, &c.
(Signed) EVAN MACGREGOR.

Inclosure in No. 229.

Vice-Admiral Baird to Admiralty.

(Telegraphic.) *Tangier, March 28, 1889, 10.30 A.M.*
REPAIRS telegraph cable commenced this morning. Will take two or three days.
Intend to sail Saturday for Vigo, calling at Gibraltar.

No. 230.

Eastern Telegraph Company to Foreign Office.—(Received March 28.)

Sir,
*Winchester House, 50, Old Broad Street, London,
March 28, 1889.*
I INCLOSE herewith copy of a letter which has been received from the Secretary of the Spanish Embassy, London, with copy of the reply, and the documents inclosed therein.

I am, &c.
(Signed) JOHN PENDER, *Chairman.*

Inclosure 1 in No. 230.

Señor de la Rica to Eastern Telegraph Company.

Sir,
Bristol Hotel, March 23, 1889.
I SHOULD be very grateful if you had the kindness of procuring me a copy of the Concession granted by the Sultan of Morocco to the Eastern Telegraph Company for the establishment of the cable between Tangier and Gibraltar.

I thank you sincerely beforehand, and offer, &c.

(Signed) J. DE LA RICA,
First Secretary of the Spanish Embassy.

Inclosure 2 in No. 230.

Eastern Telegraph Company to Señor de la Rica.

Sir,
*Winchester House, 50, Old Broad Street, London,
March 28, 1889.*
I DULY received your favour of the 23rd instant, and am instructed by my Board of Directors to inclose, as desired by you, a translation of the authority under which the Company laid its submarine telegraph cable from Gibraltar to Tangier.

I am, &c.
(Signed) GEORGE DRAPER, *Secretary.*

Inclosure 3 in No. 230.

Circular addressed by Sir J. Drummond Hay to the Foreign Representatives.

(Translated from the French.)
Gentlemen,

Tangier, January 15, 1886.
IN the year 1875 the Sultan gave permission for the establishment of telegraphic communication by cable with the various countries of Europe upon the conditions

mentioned in the annexed document; but the matter was not followed up, because no Company was then disposed to accept the said conditions.

In the course of last year the British Company, called the Eastern, asked the Government of Her Britannic Majesty to obtain for it the privilege of establishing a cable between Gibraltar and Tangier, accepting the conditions laid down by the Sultan; and I have reason to believe that the Spanish Government also asks to establish a cable between Tariffa and Gibraltar.

Under these circumstances, I have again applied to the Moorish Government to ask that the permission granted by the Sultan in 1875 be renewed, and I have just received a reply, granting my request upon the same conditions as aforesaid; and, as it appears, that His Majesty continues to oppose the extension of telegraphic communications to other parts of his Realm, either by land or by sea, fearing that, if the privilege were granted to some Company of establishing a cable from Europe to Tangier, some other foreign Representative would, upon that ground, claim the right of insisting that telegraphic communication to other parts of the Realm should also be allowed, to which His Majesty objects. His Majesty, before giving the necessary orders to the authorities at Tangier, asks me to obtain the signature of the Representatives of the Powers to the conditions which His Majesty has laid down.

I therefore beg you, Gentlemen, if you see no objection, to be good enough to append your signatures to the inclosed document.

I am, &c.
(Signed) J. H. DRUMMOND HAY.

N.B.—When I paid my visit to the Moorish Court, I made this application in accordance with the wish of all the Representatives, both in their name and my own.
J. H. D. H.

Inclosure 4 in No. 230.

Reply of the Sultan to the Application of the Foreign Representatives for the Establishment of Telegraphic Communications.

(Translated from the French.)

AS to the submarine cable to Tangier, our Lord the Sultan says that he will grant this application, seeing that it has been made by all the Representatives of the foreign States, upon the following conditions:—

1. That communication by telegraph is only allowed to Tangier (from abroad) by sea, and not to any other port.
2. That no application for communication in the interior will be granted.
3. That the cable shall end at the spot which will be pointed out by the Moorish authorities at Tangier.
4. That when a cable is to be established between Tangier and any part of Europe, the foreign Government shall select the Company to which it would prefer to have the Concession made. The object of this is to secure the respectability of the Company.

I accept these conditions.
(Signed)

J. H. DRUMMOND HAY, *Representative of
Great Britain, Belgium, Denmark, and the
Netherlands.*

DIOSDADO.

TESTA.

FÉRAUD.

G. TESTI.

REGLIA.

COLAÇO.

F. A. MATTHEWS.

CASSEL.

I certify this to be a true and correct copy of the original document.
Signed as above by all the foreign Representatives.

(Signed) J. H. DRUMMOND HAY.

Mr. White to the Marquis of Salisbury.—(Received March 28, 3 P.M.)

(No. 14.)

(Telegraphic.)

TANGIER cable.

Tangier, March 28, 1889, 12:53 P.M.

Sultan's reply received to the effect that the cable was laid without permission, and without fulfilment of the conditions. Sultan does not authorize its repair; if, however, we choose to impose our will on him by force, His Majesty will not oppose with force, but yields under protest. I have replied declining to discuss the matter, and stating that, on the strength of his Excellency's assurance that no force will be used to oppose the work, I have authorized the Company to proceed with the repairs; the Company will commence repairs at once. I have communicated with their agent at Gibraltar.

No. 232.

The Marquis of Salisbury to Mr. White.

(No. 18.)

(Telegraphic.)

YOUR telegram No. 14: Tangier cable.
I approve your proceedings.

Foreign Office, March 28, 1889,

No. 233.

The Marquis of Salisbury to Mr. White.—(Substance telegraphed.)

(No. 40. Ext. 18.)

Sir,

Foreign Office, March 28, 1889.

I HAVE to convey to you my approval of your proceedings in regard to the Gibraltar-Tangier telegraph cable, as reported in your telegram No. 14 of this day's date.

I am, &c.
(Signed) SALISBURY.

No. 234.

Foreign Office to Admiralty.

Sir,

Foreign Office, March 28, 1889.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your letter of the 26th instant, forwarding a letter from Admiral Baird as to the steps to be taken respecting the repair of the Tangier cable.

In reply, I am to suggest, for the consideration of the Lords Commissioners of the Admiralty, that the proper course in the first instance would be for the Eastern Telegraph Company's agent to proceed to execute the repairs, due notice of his intention to do so having been conveyed to the Moorish authorities by Her Majesty's Representative at Tangier.

In the event of forcible opposition being offered to the agent, the Admiral should take such steps as he may consider necessary for his protection.

I am, &c.
(Signed) P. CURRIE.

Foreign Office to Eastern Telegraph Company.

Foreign Office, March 28, 1889.

Sir,

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your letter of the 25th instant in regard to the Gibraltar-Tangier cable, and to state to you that Her Majesty's Representative in Morocco has communicated accordingly with the Company's agent at Gibraltar.

I am, &c.
(Signed) P. CURRIE.

No. 236.

Admiralty to Foreign Office.—(Received March 29.)

Sir,

Admiralty, March 28, 1889.

IN reply to your letter of the 16th instant, asking what reply should be made to the Spanish Minister of Foreign Affairs in respect to his request to be furnished with any information respecting soundings in Tangier waters which may have been recently effected by Her Majesty's ships of war, I am commanded by my Lords Commissioners of the Admiralty to request that you will state to the Marquis of Salisbury that, so far as the Admiralty are aware, no soundings have been taken by the Channel Squadron, and that the Admiral in command has received no instructions to make any.

I am, &c.
(Signed) EVAN MACGREGOR.

No. 237.

The Marquis of Salisbury to Mr. White.

(No. 19.)

(Telegraphic.)

Foreign Office, March 29, 1889, 4:25 P.M.

YOUR despatch No. 39. Cape Juby.

I approve your note of 21st March.

Squadron will leave as soon as cable is repaired, but before its departure press again for compensation to Company for loss of trade in an argumentative note.

Avoid language of a peremptory character, as it is not convenient to leave squadron at Tangier, or to take active measures at present upon this issue now that the other two have been conceded. Also omit alternative proposal at the end.

No. 238.

The Marquis of Salisbury to Mr. White.—(Substance telegraphed.)

(No. 41. Ext. 19.)

Sir,

Foreign Office, March 29, 1889.

I HAVE received your despatch No. 39 of the 21st instant, and I have to convey to you my approval of the letter that you addressed on the 21st instant to Cid Emfadi Gharneet in regard to Cape Juby, a translation of which you inclose.

I have to acquaint you that Admiral Baird will be instructed to leave Tangier with the squadron when the repairs of the telegraph cable have been effected. You should, however, before his departure, again press the Sultan's Government to grant compensation to the North-West Africa Company for the injury caused to their trade by the hostile attitude of the Moorish authorities.

Your representations should be embodied in an argumentative note. As the more urgent questions connected with the repair of the cable and the payment of personal compensation have been satisfactorily settled, the stay of the Channel Squadron at Tangier cannot be prolonged, and, therefore, any language which may in any event involve the immediate application of force should not be employed. You will also

omit any reference to the suggestion that the amount of the claim may be produced if satisfactory assurances are given that the Company shall suffer no further molestation or interference with their trade.

I am, &c.
(Signed) SALISBURY.

No. 239.

Foreign Office to Consul Ricketts.

(No. 29.)

Sir,

Foreign Office, March 30, 1889.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your despatch No. 17 of the 19th instant, inclosing copy of a Decree of the Bey, relative to the marking out of a new boundary-line between Algiers and Tunis; and I am to instruct you to furnish his Lordship with copies of the documents referred to in Article 1 of the Decree in question, if you can obtain them.

I am, &c.
(Signed) P. CURRIE.

No. 240.

Foreign Office to Admiralty.

Sir,

Foreign Office, March 29, 1889.

IN reply to your letter of yesterday's date, I am directed by the Marquis of Salisbury to state, for the information of the Lords Commissioners of the Admiralty, that he agrees to the return of the Channel Squadron from Tangier when the cable has been repaired, but he would wish that time should be given before its departure for Mr. White to send in a note which he has been instructed to address to the Moorish Government on the Cape Juby affair.

I am, &c.
(Signed) P. CURRIE.

No. 241.

Mr. White to the Marquis of Salisbury.—(Received April 1.)

(No. 41. Ext. 13.)

My Lord,

Tangier, March 25, 1889.

WITH reference to your Lordship's telegram No. 13 of the 16th instant, I have the honour to report that, eleven days having now elapsed since Hadj Mohammed Torres dispatched the express courier to the Sultan, as reported in my despatch No. 35 of the 14th instant, after consultation with Admiral Baird, in command of the Channel Squadron, I called upon Hadj Mohammed Torres and inquired whether any reply had been received from His Shereefian Majesty, stating that, in my opinion, a sufficient time had now elapsed to enable such reply to have been received.

His Excellency said that as yet he had no word from the Court on the subject, and he urged that the roads are in bad condition owing to the recent rains, and that the courier must have been delayed thereby; he therefore begged me to grant a further delay of three or four days, adding, that he was convinced that the Sultan's reply would be of a satisfactory nature.

I replied that I would communicate with your Lordship, and would await further instructions.

With a view to ascertaining to what extent the Moorish authorities would carry their opposition, were we to authorize the Eastern Telegraph Company to proceed to repair the cable before the Sultan's reply had been received, I inquired of Hadj Mohammed Torres privately (telling his Excellency that it was entirely on my own account, and with no authority from your Lordship that I did so), what reply he would give, were I to address him a letter, informing him that the Eastern Telegraph Company were about to proceed with the repair of the cable, and that unless I

received an assurance from his Excellency that no force would be used to oppose the work, it would be necessary for the Admiral to take steps to protect the working party, and overcome any opposition that might be offered, which would, of course, include silencing the town batteries, should they open fire on the ships, and that notice would, therefore, have to be given to the public in order that they might leave the town if they wished. His Excellency answered that should I address him a letter in the above sense, he would have to reply that, under the circumstances, no opposition could be offered to the execution of the work of repair, and that, therefore, it would not be necessary for the Admiral to take the steps indicated.

Unless the Sultan's reply should, in the meantime, be received, I shall take no further action in the matter until I receive your Lordship's instructions.

I have, &c.
(Signed) HERBERT E. WHITE.

No. 242.

Mr. White to the Marquis of Salisbury.—(Received April 1.)

(No. 42.)

My Lord,

Tangier, March 25, 1889.

I HAVE the honour to report that Señor Don Francisco Rafael Figuera, who has been appointed Spanish Envoy Extraordinary and Minister Plenipotentiary for Morocco, in the place of Señor Don José Diosdado y Castillo, arrived at Tangier yesterday afternoon in the Spanish cruiser "Castilla," and was received on landing with the customary ceremony.

Señor Figuera was accompanied by Señor A. G. del Campillo, who has been appointed a Secretary of the Spanish Legation.

I have, &c.
(Signed) HERBERT E. WHITE.

No. 243.

The Earl of Lytton to the Marquis of Salisbury.—(Received April 1.)

(No. 166. Confidential.)

My Lord,

Paris, March 30, 1889.

I HAVE inquired, confidentially, at the German Embassy here, whether it is in possession of any information tending to confirm or correct the intelligence communicated to your Lordship by Mr. Consul Ricketts, in his despatch No. 12, Confidential, of the 25th February, respecting works in process of construction at Bizerta.

The German reports correspond with that portion of Mr. Ricketts' above-mentioned despatch which refers to the erection of a floating dock (believed here to have been constructed in France and sent over to Bizerta), for the accommodation of small craft—torpedo-boats and gun-boats of slight calibre.

The German Embassy, however, has no information that a torpedo-mine has been placed at the entrance of the harbour of Bizerta, and it doubts the correctness of the report; torpedoes are apt to deteriorate when sunk for any length of time. A battalion or part of a battalion of "infanterie légère" will, it is said, be sent to Bizerta; but there does not seem to be any question of fortifying the port. The Military Department of the German Embassy has, also, no knowledge of any Contract with M. Lesueur for the alteration of the breakwater at Bizerta. It is thought not improbable that Trans-Atlantic steamers may call outside Bizerta Bay, but nothing has yet been heard here about any such arrangement.

I have, &c.
(Signed) LYTTON.

No. 244.

The Marquis of Salisbury to Mr. White.

(No. 43.)

Sir,

Foreign Office, April 1, 1889.

I APPROVE the note that you have addressed to Cid Emfadi Gharneet in regard to the reported expedition of the Governor of Wadnoon to Cape Juby, a translation of which accompanies your despatch No. 40 of the 21st ultimo.

I am, &c.
(Signed) SALISBURY.

No. 245.

Foreign Office to Eastern Telegraph Company.

Sir,

Foreign Office, April 1, 1889.

I AM directed by the Marquis of Salisbury to acknowledge with thanks the receipt of your letter of the 28th ultimo, inclosing copies of correspondence with the Spanish Embassy in London, and of the documents referred to therein relative to the Eastern Telegraph Company's Concession for the cable between Gibraltar and Tangier.

I am, &c.
(Signed) P. CURRIE.

No. 246.

Admiralty to Foreign Office.—(Received April 2.)

(Confidential.)

Sir,

Admiralty, April 1, 1889.

WITH reference to your letter of the 29th ultimo, I am commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, the decypher of a telegram dated the 29th March from this Department to Vice-Admiral Baird, together with the decypher of his reply thereto, dated this day.

I am, &c.
(Signed) EVAN MACGREGOR.

Inclosure 1 in No. 246.

Admiralty to Vice-Admiral Baird.

(Telegraphic.)

Admiralty, March 29, 1889, 10:30 P.M.

DEFER departure till White has sent in note to Moorish Government on Juby affairs. Then as you propose in No. 25.

Inclosure 2 in No. 246.

Vice-Admiral Baird to Admiralty.

(Telegraphic.)

Tangier, April 1, 1889, 1:30 P.M.

ARRIVED this morning. Letter about Cape Juby question has been dispatched. Intend to sail with the squadron this evening for Vigo. "Curlew" follows from Gibraltar to-morrow.

No. 247.

The Marquis of Salisbury to Sir Clare Ford.

(No. 31.)

Sir,

Foreign Office, April 2, 1889.

I COMMUNICATED to the Lords Commissioners of the Admiralty your Excellency's despatch No. 24 of the 1st ultimo, inclosing translation of a note from the Spanish Minister for Foreign Affairs, suggesting an exchange of the soundings in Moorish waters recently taken by Her Majesty's ships for the surveys made by the Spanish Military Mission.

A reply has now been received stating that, so far as the Admiralty are aware, no soundings have been taken by the Channel Squadron, and the Admiral in command has received no instructions to make any.

I have to request your Excellency to inform the Spanish Government in the above sense.

I am, &c.
(Signed) SALISBURY.

No. 248.

Foreign Office to Consul Ricketts.

(No. 30.)

Sir,

Foreign Office, April 2, 1889.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your despatch No. 20 of the 19th ultimo, in which you report that, in reply to an inquiry by the French Acting Resident, whether you were willing to name a person to represent the British community on the Sanitary Commission established by the Decree of the 3rd January, 1889, you expressed your opinion that the Bey's Government should give a written declaration that houses of British subjects shall not be entered without your consent.

I am to point out that you have gone somewhat beyond the instructions conveyed in his Lordship's despatch No. 22 of the 20th February on the subject of that Decree. In that despatch you were informed that Her Majesty's Government admit the right of the French Tribunals in Tunis to execute process on foreigners, and you were directed, with regard to the enforcement of sanitary Regulations, to make no protest unless a British domicile were entered without your consent by Tunisian officials acting solely under the orders of the Commission.

I am, &c.
(Signed) P. CURRIE.

No. 249.

Consul Ricketts to the Marquis of Salisbury.—(Received April 3.)

(No. 22.)

My Lord,

Tunis, March 25, 1889.

I HAVE the honour to acknowledge the receipt of a despatch from Sir J. Pauncefote, No. 15, of the 4th February last (received only on the 23rd instant), in reference to the case of Mr. Licari, reported in despatch No. 32.

The instructions contained in your Lordship's despatch have been this day communicated to the Resident.

In despatch No. 21 of the 19th instant which I addressed to your Lordship, I therein stated that Mr. Licari had been condemned by the French Tribunal, to whom the case had been submitted by the Municipality, to fine, imprisonment, and loss of goods.

Having appealed, this sentence will, I understand, not be able to be carried out for some time, say, two months. The question then arises:

The seizure being held by Her Majesty's Government irregular, is the sentence of the French Tribunal to be upheld or not?

If not, it would become a matter for your Lordship's consideration as to whether or not Mr. Licari is entitled to damages.

Should on the other hand, however, it be decided that the French Court has a right

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to issue judgment under the circumstances, I would suggest, as Mr. Licari and the doctor who examined his goods assert that they were perfectly harmless, that samples should be sent if possible to London and Paris for further examination; but such a matter could only be arranged through representation on the part of Her Majesty's Ambassador at Paris.

The analysis of Mr. Licari's goods was made by the chemist employed by the Municipality, but why, may it be asked, should the French Tribunal have accepted this decision only and not have taken into consideration the opinion also given by the chemist who acted for Mr. Licari, and if any doubt existed, ought it not to have been given in favour of the accused?

I have, &c.
(Signed) G. T. RICKETTS.

No. 250.

Consul Ricketts to the Marquis of Salisbury.—(Received April 3.)

(No. 24.)

My Lord,

Tunis, March 25, 1889.

I HAVE the honour to acknowledge the receipt of your Lordship's despatches Nos. 27 and 28 in reference to Mr. Levy, in the former of which it has been arranged that Mr. Levy is to be retained in full pay for eighteen months and not for one year, as mentioned by me, and at the end of that time he is to be appointed to some other post.

This offer of the French Government has been communicated by me to Mr. Levy. Mr. Levy says he would rather have a higher indemnity or a pension, as he fears if he accepts anything else he will be subject to much trouble through the authorities, and thus compelled to leave the Service.

In M. Spuller's note of the 28th February, 1889, I observe it is said—

1. M. Spuller considers it regrettable that I did not in the first place consult the Resident instead of writing to Her Majesty's Government.

2. That twenty-nine persons have been allowed during eight years to accept French nationality, this being an especial favour.

3. That Mr. Levy and the others were removed from the Customs solely because they were unable to sign certificates of produce destined exclusively for the French Customs.

4. That Mr. Levy will receive pay for eighteen months and not twelve.

5. That there was a want of cordiality between the French residents and Her Majesty's Consul.

As regards statement made by M. Spuller contained under No. 1 above mentioned, I have to remark I did not think this matter was likely to receive any solution at Tunis, and, consequently, as time would only be wasted here in discussing it, in the interests of Mr. Levy, I represented it directly to Her Majesty's Foreign Office. It is well I did so.

As regards No. 2, I have the honour to forward an extract of a Decree of the 29th July, 1887, showing that foreigners after three years' residence in Tunis have the right of becoming French subjects. It would seem, then, there is no particular favour attached to the acceptance of French nationality; three years' residence being the condition in which this is granted; but notwithstanding this, only six Maltese have given up their nationality. Three of these are engaged in the Tunisian Government Service and the other three are employed in the Residency. Of those who are engaged in the Tunisian Government Service, I am given to understand that they renounced their nationality, fearing that if they did not become Frenchmen they would lose their posts.

Mr. Pisani, of Tabarca, who was employed there at the Custom-house, was about three years ago dismissed from the Tunisian Service for incompetency. Mr. Sandwith called personally on the Resident, and begged, as he had a large family, that he should be reinstated, but this was refused. Mr. Pisani some time after became a French subject, and is now found competent, being employed in the Municipality.

A Maltese sergeant in the police, named Xuereb, said he was asked to become a French subject, but this he refused, and has left the Service.

On the whole among the Maltese, who number several thousands in Tunis, none of those who are independent have as yet surrendered their nationality.

In reference to No. 3, I herewith inclose an exact copy of the telegram sent from

the Inspector to the Receveur, Mr. Levy, from which it is evident that Mr. Levy on the 25th December, 1888, was requested to state if he intended becoming a French subject; and it was only on the 12th January, 1889 (see copy of letter herewith sent), that Mr. Levy was informed he was unable as a foreigner to sign certificates of produce destined for the French Customs.

It is somewhat strange that Mr. Levy's incapacity to sign such certificates was not discovered before the 25th December.

In No. 4 much stress is laid on my statement that only twelve months' salary would be given to Mr. Levy; but it will be noticed in my despatch No. 8 of the 21st January I stated 6,300 piastres, or about 12 months' salary. The sum is correct (see letter to Mr. Levy from Inspector, Inclosure No. 3); there was, however, an error, it is true, as regards the time; but errors of this sort are unavoidable, considering the inaccuracy of the people of these parts.

No. 5. M. Spuller states there was a want of cordiality between myself and the French residents. I must say I am somewhat astonished at such an observation; it is altogether outside the fact, for I am on the best of terms with most people, be they French or others. Nor have I personally had any differences with M. Massicault or any one concerned with the Residency. Perhaps, officially, I may not be liked, but who in such a position doing his duty would be popular? and, after all, what have reclamations of this sort to do with my relations towards the people of this country. A subject makes a complaint, and proves he has been wronged. Is the Consul to remain silent out of deference to those who would rather these were not made public?

I have, &c.
(Signed) G. T. RICKETTS.

Inclosure 1 in No. 250.

Décret du 29 Juillet, 1887.

LE Président de la République Française,
Sur le rapport du Garde des Sceaux, Ministre de la Justice,

Décète :

Article 1^{er}. Peuvent, après l'âge de 21 ans accomplis, être admis à jouir des droits de citoyen Français :—

1. L'étranger qui justifie de trois années de résidence, soit en Tunisie, soit en France, ou en Algérie, et, en dernier lieu, en Tunisie ;

2. Le sujet Tunisien qui, pendant le même temps, aura servi dans les armées Françaises de terre ou de mer, ou qui aura rempli des fonctions ou emplois civils rétribués par le Trésor Français.

Art. 2. Le délai de trois ans est réduit à une seule année en faveur des individus mentionnés en l'Article précédent, qui auraient rendu à la France des services exceptionnels.

Art. 3. Pourront également être admis à jouir des droits de citoyen Français les sujets Tunisiens qui, sans avoir servi dans les armées Françaises de terre ou de mer ou rempli des fonctions ou emplois civils rétribués par le Trésor Français, auront rendu à la France des services exceptionnels.

Art. 4. La demande en naturalisation est présentée au Contrôleur Civil dans l'arrondissement duquel l'impétrant a fixé sa résidence.

Le Contrôleur Civil procède d'office à une enquête sur les antécédents et la moralité du demandeur.

Si le demandeur est sous les drapeaux, la demande est adressée au Chef de Corps, qui la transmet au Général Commandant Supérieur, chargé de diriger l'enquête et d'émettre son avis.

Dans chaque affaire, le résultat d'enquête, avec la demande et les pièces à l'appui, sont envoyés au Résident-Général, qui transmet le dossier, avec son avis motivé, au Ministre des Affaires Étrangères.

Art. 5. Il est statué par un Décret du Président de la République Française, le Conseil d'État entendu, sur la proposition collective du Ministre des Affaires Étrangères et du Garde des Sceaux, Ministre de la Justice.

Art. 6. Aucun droit de sceau ne sera perçu pour la naturalisation des individus attachés au service de la France.

Pour les autres, le droit est fixé à 50 fr.

La perception de ce droit sera faite au profit du Protectorat.

Art. 7. Le Ministre des Affaires Étrangères et le Garde des Sceaux, Ministre de la Justice, sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

Fait à Mont-Sous-Vaudrey, le 29 Juillet, 1887.

(Signé) JULES GRÉVY.

Inclosure 2 in No. 250.

The Director of Finance to the Receiver of Customs.

(Télégraphique.)

Tunis, le 25 Décembre, 1888, 2 h. soir.

GOUVERNEMENT désire être fixé immédiatement sur le point de savoir si vous voulez vous faire naturaliser Français.

Répondez par voie télégraphique.

Inclosure 3 in No. 250.

The Director of Finance to the Receiver of Customs.

M. le Directeur,

Tunis, le 12 Janvier, 1889.

DES considérations d'ordre supérieur basées sur l'intérêt du pays imposent au Gouvernement le devoir de remplacer immédiatement par des agents Français les Receveurs de nationalité étrangère placés à la tête des Bureaux de Douane désignés pour délivrer éventuellement les certificats constatant l'origine des produits qui, aux termes du Projet de Loi soumis en ce moment aux Chambres Françaises, doivent bénéficier d'un traitement de faveur à leur entrée en France.

En présence de ces considérations, l'Administration qui n'est pas à [?] prononcer leur licenciement.

Je vous prie de faire connaître à Mr. Levy, Receveur à Mahdia, que cette mesure lui est applicable.

Bien que l'attitude de cet agent vis-à-vis de l'Administration ait récemment laissé à désirer, le Gouvernement, usant de la plus grande bienveillance, a décidé de lui allouer une indemnité de licenciement.

Cette indemnité a été fixée à l'équivalent de dix-huit mois de son traitement, soit 6,300 piastres.

En notifiant cette décision à l'intéressé, je vous prie de l'inviter à remettre le service à M. Fiterre, Deuxième Commissaire de votre Direction, nommé Receveur à Mahdia.

Le Directeur des Finances,
(Signé) DEPIENNE.

Copie pour notification remise à Mr. Levy, qui voudra bien remettre immédiatement le service à son successeur, M. Fiterre.

Le mandat de paiement de la somme de 6,300 piastres, montant de l'indemnité de licenciement qui lui est allouée, lui sera remis par M. le Sous-Inspecteur à Sousse.

Le Directeur des Douanes,
(L.S.) (Signé) LE ROI.

Tunis, le 14 Janvier, 1889.

No. 251.

Consul Ricketts to the Marquis of Salisbury.—(Received April 3, 3:50 P.M.)

(Telegraphic.)

Tunis, April 3, 1889, 11:15 A.M.

DESPATCH No. 27 sent yesterday gives further information about case of Licari.

No. 251*.

Mr. White to the Marquis of Salisbury.—(Received April 4.)

(No. 43. Ext. 14.)

My Lord,

Tangier, March 28, 1889.

WITH reference to my despatch No. 35 of the 14th instant, inclosing copy of the letter I addressed the Commissioner for Foreign Affairs, informing him, by direction of your Lordship, that the Channel Squadron would remain at Tangier until the telegraph cable had been repaired, I have the honour to transmit herewith translation of the letter I have received from Hadj Mohammed Torres, communicating to me the reply of the Sultan.

In this letter, his Excellency reiterates the contention that the cable was laid without the Sultan's permission, and without due fulfilment of the conditions imposed. As His Majesty did not sanction the laying of the cable in the first instance, so he cannot now sanction its repair. Hadj Mohammed Torres proceeds to say that the Sultan, in his dealings with the Government of Great Britain, as with other Governments, is guided by feelings of friendship and regard for Treaties and established customs, but that if Her Majesty's Government chooses to repair the cable, as it laid it, in opposition to His Majesty's will and by force, His Shereefian Majesty will not oppose the work with force; at the same time, however, His Majesty does not cease to demand what he considers to be his rights in the matter.

I have the honour to inclose translation of the letter I addressed Hadj Mohammed Torres in reply, reminding his Excellency that the arguments now again put forward have already been refuted, and that Her Majesty's Government considered the discussion on that point to be closed. I added that, in view of his Excellency's assurance that the repair of the cable would no longer be opposed, I would inform the Eastern Telegraph Company that they could proceed at once with the work.

I understand from the Tangier agent of the Telegraph Company that the repairs will be commenced this day, and will probably be completed in two or three days.

I have requested the agent to inform Mr. de Sauty, the agent at Gibraltar, that the cable is being relaid, so that he may come to splice the sea and land portions together.

I have, &c.
(Signed) HERBERT E. WHITE.

Inclosure 1 in No. 251*.

Hadj Mohammed Torres to Mr. White.

(Translation.)
(After compliments.)

24 Rejeb, 1306 (March 27, 1889).

I HAVE communicated to His Shereefian Majesty [may God exalt him] what passed between you and me verbally and in writing regarding your demand for the repair of the cable, which has been landed on the beach of Tangier, and our Lord the Sultan has been fully acquainted with all that, and has answered me and commanded me to answer you to the effect that His Shereefian Majesty had accorded permission for the laying of this cable on the conditions which are known to you, and which are in your possession, but you did not comply with them in their entirety as towards His Shereefian Majesty, and had you complied with them His Majesty would have permitted it to be laid between Tangier and Gibraltar, and to be repaired in case of necessity, but these conditions were not fulfilled towards His Shereefian Majesty in their entirety, and the cable was laid on the shore of Tangier without His Majesty's permission and without integral compliance with his conditions, and His Majesty has not sanctioned its establishment and does not sanction its repair of his own free will, and has commanded me to inform you that His Majesty [exalted with God] continues in his relations with all friendly Governments to follow the path indicated by Treaties and established custom; amongst them is the Government of Great Britain, the old ally. And Treaties and customs do not admit of the friendly Government of Great Britain laying the cable and repairing it without the permission of the (Moorish) Government, and without regard to Treaties and customs. But if you choose to establish it and repair it regardless of all this and by force, it is for you to decide. The Moorish Government and its subjects will not oppose the friendly Government by force, and does not desire to have any intercourse with it, except on the footing of

the old friendship between the two countries. Certainly, the Sultan does not sanction that of his own free will, and does not cease to demand the right to which Treaties and customs entitle him in this matter, and does not cease to expect of his ally, the Government of Great Britain, that it will deal conscientiously with him in all his rights, and treat him in the manner that is customary between friends. Peace.

An answer is requested.

(Signed) MOHAMMED TORRES.

Inclosure 2 in No. 251*.

Mr. White to Hadj Mohammed Torres.

(Translation.)

(After compliments.)

March 27, 1889 (24 Rejeb, 1306).

I HAVE received your letter of this date, in which, after repeating the former arguments regarding the cable, your Excellency informs me that the Sultan does not consent to its repair, but that if Her Majesty's Government nevertheless insists on the repairs being effected, His Shereefian Majesty will use no force to oppose the work, though at the same time His Majesty does not cease to demand what he considers to be his right in the matter, and you request me to reply to your letter.

As for the arguments that you adduce, I need only refer your Excellency to the various letters of Her Majesty's Minister, in which they have been completely refuted, and also to a letter addressed by him to Cid Emfadi Gharnit on the 17th December, 1887 (1st Rebia II, 1305), in which, by direction of Her Majesty's Government, he stated that "he was not empowered to reopen a discussion which Her Majesty's Government was entitled to regard as having been closed."

As Her Majesty's Government consider that the Company were entitled in the first instance to lay the cable and are now entitled to repair it, and as your Excellency's letter contains an assurance that the workmen will not be interfered with, I will inform the Company that they can proceed at once to effect the required repairs. Peace.

(Signed) HERBERT E. WHITE.

No. 252.

Mr. White to the Marquis of Salisbury.—(Received April 4.)

(No. 44.)

My Lord,

Tangier, March 28, 1889.

I HAVE the honour to report that Senhor Colaço, Portuguese Minister at Tangier, accompanied by a Dragoman, a Secretary sent from the Lisbon Foreign Office, and some friends, left Tangier yesterday on a mission to the Sultan at Fez. The usual arrangements were made by the Sultan for Senhor Colaço's journey.

I understand that no political importance is to be attached to the mission, which is merely of a complimentary character.

I have, &c.

(Signed) HERBERT E. WHITE.

No. 253.

Admiralty to Foreign Office.—(Received April 6.)

Sir,

Admiralty, April 4, 1889.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, copy of a letter from Commander Norcock, of Her Majesty's ship "Curlew," dated the 23rd March, reporting on the state of affairs at Cape Juby.

I am, &c.

(Signed) EVAN MACGREGOR.

Inclosure in No. 253.

Commander Norcock to Vice-Admiral Baird.

Sir,

"Curlew," at Gibraltar, March 23, 1889.

IN compliance with your orders of the 15th instant and the directions of their Lordships' telegram of the 14th appended thereto, I have the honour to report having obtained such particulars as Mr. White, of Her Majesty's Legation at Tangier, could afford me, and accepted with your approval the voluntary services of Mr. E. Carleton, of the North Africa Company, on the recommendation of Mr. White (in the event of my requiring an interpreter and assistance from one of experience in Moorish matters on my arrival at Juby). I left Tangier at noon of the 16th and proceeded with convenient dispatch (10 knots) to the southward, experiencing quite fine weather, with the exception of six or seven hours on the 17th, when it blew fresh from the south-west with some sea.

2. I reached Cape Juby on the morning of the 19th, and found at anchor Her Majesty's ship "Goshawk." She had received telegraphic orders from the Admiralty when at Las Palmas to proceed to Cape Juby, there wait a week, and if "Curlew" had arrived, to send her back to Channel Squadron (copy attached).

3. Before leaving I visited the North Africa Company's fort and establishment, and beg to submit the following particulars I gathered for your information:—

(a.) The present representatives of the North Africa Company at this place are:—Mr. Hepburn, acting manager; Messrs. Pennell, Spiridon, and Zaytoun (the two latter are interpreters); Dr. Russell-Cruise (medical officer); eighteen Spanish sailors, as boatmen and labourers (who, I was told, strongly object to fight in defence of the fort).

(b.) On the morning of the 18th two or three small bodies of Moorish soldiers were observed approaching the Company's warehouse, on shore and from different directions, as if an organized attack [*sic*]. These men, Mr. Hepburn concluded, were the ones reported to be marching on the place; so, as he states, with a view to intimidation and warning of a prepared reception, he fired two guns (seven-pounders), the shots from which lodged in the sand between two bodies of the strangers. At this moment (as if by intention) the "Goshawk" came up and anchored, the effect of which was the immediate dispersal of the Moors without their firing a shot. They, however, were reported to still remain in the neighbourhood close by.

(c.) On the previous day (17th) about 130 sheep, the property of the Company, and their shepherd (Omar, a friendly native) were carried off, presumably by these same Moors, showing that they were, at any rate, there on no friendly errand.

(d.) Reports of friendly natives on shore (always of questionable accuracy) state that there are not less than 200 Moorish soldiers operating in the neighbourhood against the Company's servants and their trade. These men, they say, hail from Wadnoon, acting under the authority of the Governor of that place, Dahman by name, and are divided into three or four parties under certain Chiefs, one of which (Abideen) went southward to bribe and warn the natives not to trade with the Englishmen, another went inland with the same object, and the remainder to watch and (if offered a chance) attack and kill the Englishmen and their party, and destroy their establishments. These statements Mr. Hepburn and his companions believe to be true. At any rate, the effect produced is the now complete stoppage of trade, and disturbance of the surrounding country.

(e.) That these operations against the Company's trade are being carried out by the Sultan of Morocco's officials there appears to be no doubt, although considerably outside the limits of his territory.

(f.) After the dispersal of the Moors on the 18th, a party of thirty friendly natives followed them up, and succeeded in recapturing the shepherd Omar, but not the stolen sheep. Two of the Moors are reported to be shot on this occasion, and one of the friendlies wounded.

4. From the information gathered and my own observations I conclude:—

(1.) That the situation of the English traders is not so critical as supposed, for these reasons: the danger of a vigorous open attack by the Moors would appear small if Mr. Hepburn takes all the precautions in his power and relies upon his fort, which is very strong, well found with guns, rifles, and ammunition, provisions, water, &c. It is 700 yards from the shore (an easy range for his guns, but beyond that of his opponents muskets). Communication is maintained with Las Palmas and Canary Islands by means of the Company's schooner, which keep up his supplies, and the

only way the fort could be stormed is across a narrow, rugged reef, fordable only at low water, but easily commanded by the fort's guns. He has certainly only four Englishmen to fight, too few to hold out long with watching, &c., and the Spaniards are quite untrustworthy and refuse to fight. With a very few more Europeans, however, it would appear that no fear at all need be entertained as to the safety of the fort and its occupants. Their warehouse on the mainland should certainly be left at night; it can be commanded by their own guns, and could come to no harm; nothing of value should be left there.

(2.) There seems no doubt that the Sultan's people are their oppressors, and have succeeded in stopping their trade in the manner described, but this may be due to a want of agreement or harmony between the Governor of Wadnoon and his Chiefs and the North Africa Company, which, I am told, once existed under Mr. Mackenzie's management, but has for some reason ceased. The renewal of such, if now possible, would seem the surest and most satisfactory way of restoring the trade; but I am not informed by what means those terms were secured with the Company's now troublesome neighbours. At present the Moorish Chiefs would readily seize upon any good opportunity of dislodging the Englishmen, and by last year's experience have proved themselves very treacherous and ready to take life.

(3.) The neighbouring natives and fishermen have always been, and remain, very friendly with the Englishmen, but fearing now the hostility of the Moors, beg also protection. They were, whilst I was there, assisting in strengthening the defence of the warehouse on shore, and effected the rescue of the shepherd Omar.

5. The presence of Her Majesty's ship "Goshawk" will, of course, afford the traders immunity from any present attack, and give them time for setting their defences in order. Commander Pelly was advising and assisting them on this point, and, with the exception of an additional two or three Englishmen, much required, I do not apprehend any great harm coming to Mr. Hepburn and his party.

6. In accordance with my fresh orders, I left Cape Juby at 4 P.M. on the 19th, called at Las Palmas on the following morning to transmit telegram informing you of my departure, and, after taking in two days' fresh provisions and landing Mr. Carlton, who was always most ready in gleaning information for me, and had come to Palmas with a view of obtaining more European assistance for Juby. At 3 P.M. I proceeded northward and experienced north-north-east wind all the way, varying in force; was fresh with some sea on 22nd, fell light on morning of 23rd, but freshened considerably on entering the Strait. Passed Cape Spartel at 4.30 P.M.; made number to Her Majesty's ship "Agincourt," lying with "Monarch," "Iron Duke," and "Grappler" off Tangier at 5 P.M., and arrived here at 8.30 P.M.

I have, &c.
(Signed) CHAS. J. NORCOCK.

Mr. White to the Marquis of Salisbury.—(Received April 9.)

(No. 46.)
My Lord,

Tangier, April 2, 1889.

WITH reference to my despatch No. 39 of the 21st ultimo, I have the honour to inform your Lordship that, on receipt of your Lordship's telegram No. 19 of the 29th ultimo, I communicated by telegraph with Admiral Baird, in command of the Channel Squadron, then temporarily at Gibraltar, and informed him that I would await his return before dispatching a letter I was about to address to the Vizier on the subject of the indemnity to be paid to the North-West Africa Company at Cape Juby.

Two vessels of the squadron returned to this bay on the 31st ultimo, and the flagship on the following day, when I dispatched a courier to the Court with a letter addressed to Cid Emfadl Gharneet.

In this letter, of which a translation is inclosed herewith, I endeavour to show that the claim of the Sultan to sovereignty over the district of Cape Juby is untenable, and I again point out that this claim has never been admitted by Her Majesty's Government, Wad Draa being the recognized southern boundary of Morocco. I remind his Excellency of the repeated warnings given that the Sultan would be held responsible for any injury the British Company might suffer in person or property through His Shereefian Majesty's action, and I remark on the indisputable nature of the fact that the repeated attacks on the Company's servants and station, and the interference with their trade were at His Majesty's instigation, if not by his direct command. I conclude by urging upon his Excellency the expediency of bringing this matter to a settlement without further delay.

I called upon Hadj Muhammad Torres the same morning, and, after communicating to him the letter I had addressed to the Vizier, I expressed the hope that he would appreciate in its true light, and would explain to the Sultan, the forbearance Her Majesty's Government had shown in instructing me to address to the Moorish Government a letter of that character instead of at once insisting on the payment of the sum claimed. I impressed upon his Excellency that Her Majesty's Government were nevertheless quite satisfied as to the justice of the claim, and had adopted this course merely out of regard for the Sultan, and in the assurance that His Majesty would be prepared to effect a satisfactory arrangement of this question without the necessity for any further pressure on the part of Her Majesty's Government.

I therefore urged his Excellency to write to the Sultan and counsel his Majesty to take advantage of the opportunity now offered for an equitable and dignified solution of this question, which for some time past has tended to impair the friendly feeling so long existent between the two Governments.

Hadj Mohammad Torres replied that it would be useless for him to tender any advice to the Sultan on this matter, as his counsels are no longer heeded at the Court, but he added that he was of opinion that His Shereefian Majesty would be disposed to meet in a conciliatory spirit the demand of Her Majesty's Government, and would return a favourable reply.

I am not myself inclined to think that Hadj Muhammad Torres has so little influence with the Sultan as his Excellency would have us believe; on the contrary, I think he gathers the views of the various foreign Representatives on pending questions and communicates them, together with his own observations, to His Shereefian Majesty, who would attach considerable weight to the advice tendered by his Excellency. Nor am I prepared to place any reliance on Hadj Muhammad Torres' professed opinion as to the favourable nature of the reply to be expected from the Sultan.

I have, &c.
(Signed) HERBERT E. WHITE.

Inclosure in No. 254.

Mr. White to Cid Emfadl Gharneet.

(Translation.)
(After compliments.)

March 30, 1889 (27 Rejeb, 1306).

WITH reference to my letter of the 21st instant (18 Rejeb), I have to inform your Excellency that Her Majesty's Government have taken into consideration all

that you mention in your letter of the 25th Jumad II, and wishing to mark their feelings of friendship towards the Sultan, have directed me to explain yet once more on what grounds they base the claim that has been put forward on behalf of the Company, for, as I have already informed your Excellency, this claim was not lightly put forward, but only when, after mature consideration, Her Majesty's Government was convinced of its justice, and when repeated warnings had been distinctly given that His Shereefian Majesty the Sultan would be held responsible for any loss of life or property occasioned to the Company by His Shereefian Majesty directly or indirectly, which warnings were unfortunately disregarded, outrage having succeeded outrage, until finally a treacherous attack was made upon four Englishmen, of whom one was killed and two injured. I am aware that the Sultan has ordered the payment of an indemnity to the victims of this outrage, but their assailants, though well known, have not yet been brought to punishment or even arrested, and it cannot be expected that Her Majesty's Government will overlook the former outrages on the Company and the stoppage of their trade, which has caused them a very heavy pecuniary loss.

Your Excellency is well aware that Her Majesty's Government has never admitted the Sultan's claim to sovereignty over Cape Juby, Wad Draa being the recognized southern boundary of the dominions of His Shereefian Majesty, and at the time of the establishment of the English Company at Cape Juby the Sultan's rule even over the territory between Wad Draa and Agadir was nominal rather than real. If your Excellency will consult the Arabic copy, made by Cid Mohammed El Gabbas, of the Map published by the French Government, you will find Wad Draa given as the boundary of Morocco; and it will be within your Excellency's recollection that when, a few years ago, there was a discussion between the Moorish and Spanish Governments as to the site of Santa Cruz, which was to be ceded to Spain, the Sultan offered a place between Cape Juby and Wad Draa, known as Puerto Causado, and the Spanish Government indignantly refused it, stating that it was outside the Sultan's dominions, and that they could settle there without His Shereefian Majesty's permission. His Shereefian Majesty, therefore, has proof that other Governments besides the British regard Wad Draa as the boundary of Morocco.

When Mr. Mackenzie was first going to Cape Juby, fourteen years ago, Her Majesty's then Minister, Sir John Drummond Hay, spoke on the subject to Cid Mohammed Bargash, and the latter admitted in conversation that that spot was beyond the Moorish boundaries. It is true that Cid Mohammed Bargash some time subsequently addressed letters to Sir John Drummond Hay protesting against Englishmen landing on the coast of Soos or Wad Noon, but in none of these letters was any mention made of Cape Juby. It was not till later that Cid Mohammed Bargash put forward a claim on behalf of the Sultan to sovereignty over the country south of Wad Draa, and then Her Majesty's Government replied declining to recognize this claim; thereupon Cid Mohammed Bargash, in a letter dated the 23rd Muharrem, 1297 (7th January, 1880) distinctly threatened that the Sultan would incite the people of the districts surrounding Cape Juby to attack the English Company. Immediately after this a Secretary of His Shereefian Majesty, named Abdelkader, and Sheikh Abeddin, visited Cape Juby, and from that time a hostile feeling was manifested towards the Company, their wooden storehouse burnt down four months later, and the building of their stone house interfered with. It was thus quite clear that the stoppage of the Company's trade and the destruction of their property was, from the beginning, countenanced, if not actually ordered, by the Sultan.

In a letter dated the 12th Muharram, 1298 (15th December, 1880), the Vizir, Cid Muhammed-ben-Mukhtar, put forward in a distinct form what His Shereefian Majesty claims to be the extent of his dominions, viz.: all the Sahara and Soudan as far as Egypt, and he based this claim on a statement contained in a book written in the eleventh century,* but even if some of the former Sovereigns of this country exercised dominion over Cape Juby in past centuries, that fact would afford no proof that Cape Juby still forms part of the Empire of Morocco; the Kings of Fez formerly ruled over a large part of Spain, yet His Shereefian Majesty does not claim that country as a portion of his dominions, or—to come to more recent times—the Kings of Portugal once owned several towns in Morocco, yet His Shereefian Majesty would not recognize that those towns are now Portuguese possessions. Again, the tract of country south of Cape Juby known as Rio de Ouro, which was annexed a few years back by Spain, is included in this territory claimed by the Sultan, but I am not aware that His Shereefian

* Mah'medan era.

Majesty has addressed any remonstrances to the Spanish Government for having taken possession of it, or sent troops to stop the trade of the Spaniards.

With regard to what you write concerning the statements made by Sir J. D. Hay in his letters, I must ask you to read these letters again carefully, and you will find that it was in speaking of Englishmen, who had landed in Soos to carry on trade in that district that he said you would be justified in arresting them and delivering them to their Consul, for Soos is within the Sultan's dominions, and persons landing and trading there would be guilty of smuggling; but that is quite different to trading at Cape Juby, which is beyond the Wad Draa. Also you misunderstood what Sir J. D. Hay said regarding the Sultan extending his control over the southern portions of his Empire. Sir J. D. Hay urged His Majesty to assert his authority over Soos and open ports there to trade, which ports would be in a position to compete successfully with the English Company at Cape Juby, and thus peaceably cause them to abandon the place owing to the trade leaving their port for the new Moorish port; it was thus merely a fair competition in trade that Sir J. D. Hay indicated. The Sultan, however, instead of opening new ports in his own country, endeavoured to close the English Company's port outside His Majesty's dominions.

I have here given your Excellency explanations of some of the grounds upon which the claim of the Company is based. I have not thought it necessary to enter into other points, as enough has already been said to show the justice of the claims, and indeed, as you have in your possession the letters that have been written on the subject, it is not necessary that I should repeat the arguments that have already been used.

I trust that His Shereefian Majesty will recognize the great patience and friendly feeling that Her Majesty's Government have shown throughout this affair, and will at once cause the murderers to be punished, and give directions for the settlement of this claim without further delay, for I am convinced that His Majesty must share the desire of Her Majesty's Government that the alliance and friendship that has existed between the two Governments and peoples for so long a time should not now be disturbed. I urge your Excellency, therefore, most seriously to impress upon His Shereefian Majesty the importance of satisfying the just demands of the British Government.

Peace.

(Signed)

HERBERT E. WHITE.

No. 255.

Mr. Bensaude to the Marquis of Salisbury.—(Received April 9.)

19, Upper Bedford Place, Russell Square,
April 8, 1889.

My Lord,

I BEG respectfully to draw your Lordship's attention to the following circumstances.

On the 16th February last I was travelling through the dominions of the Empire of Morocco, and whilst landing at Rabat, was without justification or provocation savagely attacked by a crowd of Moors numbering about eighty persons, who violently assaulted, and stabbed, and robbed me of my effects. The persons were armed with boat-hooks, sculls, daggers, stones, &c.

I have upon me marks of their violence, and am still suffering from the effects thereof.

I may mention that Her Majesty's Vice-Consul at Rabat can verify the above.

I am a British subject, and beg that your Lordship will refer me to one of the officials at the Foreign Office, before whom I can lay the facts and incidents connected with this gross and unwarranted outrage.

I have, &c.

(Signed)

D. BENSAUDE.

Consul Ricketts to the Marquis of Salisbury.—(Received April 10.)

(No. 27.)

My Lord,

Tunis, April 2, 1889.

I HAVE the honour to transmit, herewith inclosed, to your Lordship, in extension of telegram of the 2nd April, an extract from the "Tunis-Journal" of the 23rd ultimo, in which will be found an explanation of the views of the French Tribunal in reference to the case of Mr. Licari.

It will be observed that there is no mention made of the quantity of coal tar used by Mr. Licari, and that, according to this statement, French law does not allow this ingredient to be applied in any way in the composition of liquors. How far this may be the French law guiding this subject I have no means of ascertaining.

I have, &c.

(Signed) G. T. RICKETTS.

Inclosure in No. 255*.

Extract from the "Tunis-Journal" of March 23, 1889.

LES LIQUEURS FRELATÉES.—Dans notre dernier numéro, nous avons publié une lettre de M. le Dr. Cassanello, plaidant et pour lui et *pro domo* Licari. Le manque d'espace ne nous ayant point permis de relever les inexactitudes qu'elle contenait, nous le faisons aujourd'hui.

M. le Dr. Cassanello affirme, avec une grande désinvolture qui touche à la chose jugée, que M. le Professeur Cazeneuve a déclaré formellement que les liqueurs fabriquées par Mr. Licari ne sont pas nuisibles à la santé.

C'est une erreur profonde, le Professeur Cazeneuve n'avait pas à se prononcer sur ce point, qui est du ressort du Tribunal. M. Cazeneuve a constaté—ce qu'avait oublié de faire M. Cassanello—que les liqueurs fabriquées par M. Licari contenaient, toutes sans exception, des dérivés de houille. Là était le débat, et cette affirmation de M. Cazeneuve venant corroborer les déclarations du Directeur de notre Laboratoire de Chimie, le Tribunal a pu formuler son verdict en prenant pour base les deux Rapports.

Il n'y a donc pas de contestation possible, et la preuve que les produits en question sont nuisibles à la santé, c'est que la loi Française qui régit la matière est formelle sur ce point. Elle condamne tous les dérivés de houille en se basant sur l'avis du Conseil Supérieur d'Hygiène de Paris, qui se compose des sommités scientifiques de notre pays. Or, en Juillet 1883, sur l'avis de ce même Comité, il a été rendu une Ordonnance de Police Municipale ainsi formulée:—

"Il est expressément défendu aux fabricants de liqueurs de se servir, pour colorer leurs produits, de dérivés du goudron de houille."

Entre ces déclarations formelles et l'avis dubitatif du Dr. Cazeneuve qui ne croit pas à la nocuité des dérivés de la houille, le Tribunal de Tunis a conclu comme un Tribunal de Paris l'aurait fait.

Il ne m'appartient pas de discuter plus longuement un Arrêt indiscutable; mais, cependant, nous devons dire, en terminant, que nous félicitons le Service Municipal de faire une guerre sans pitié à tous ceux qui, sous forme d'amer, d'absinthe, ou de parfait amour, versent à leurs clients des liquides empoisonnés par les dérivés du goudron de houille.

No. 256.

Mr. Cassar to the Marquis of Salisbury.—(Received April 10.)

My Lord,

[No date.]

THE undersigned Salvatore Cassar, Her Britannic Majesty's faithful subject, residing in Tunis, humbly begs to submit to your Lordship—

That four years ago I had the misfortune of losing my father, who only left me

a small grocery, from the profit of which I am obliged to sustain my mother and a sister, who is yet a minor.

That my family has been established in this town for over forty years, during which none of us has ever been brought before the Court for criminality or correction.

That latterly several officers of the Municipality of Tunis presented themselves in my shop to inspect my goods, and having found some "margarina," manufactured by Vidal Engauran, of Marseilles, they took a certain quantity of it, and put the rest in a box, not paid for, which they sealed with the seal of the Municipality to prevent me for opening it.

That on the 19th instant I have been summoned to appear before the "Tribunal Correctionnel" of this city for having tried to deceive my customers by the sale of the said "margarina."

That on the 27th instant I appeared before the Tribunal assisted by my lawyer, Dr. A. M. Camilleri, who pleaded that the crime noted in the summons was, there being no witnesses, not proved at all. The President of the Tribunal, seeing that my lawyer was defending me with success, observed to him that he had not to answer the charge for deceit, but of falsifying the butter.

Dr. Camilleri remarked to the Tribunal that this latter crime was not mentioned in the summons, but as the President insisted that I should defend myself for the crime of falsification, Dr. Camilleri stated as follows:—

That in case the merchandises resulted to be falsified, this could not be attributed to me, but to the firm who had manufactured the margarine.

Indeed, this margarine is not manufactured in Tunis, but it is supplied by the above-mentioned firm in tin boxes, well closed, and I have only exposed for sale what I receive from France.

The Tribunal, to the surprise of all present, has condemned me for four days' imprisonment and a fine of 80 piastres for falsification, notwithstanding the summons issued was for deception.

Such a Judgment has been based on the Bey's Decree of the 21st May, 1888, with the Penal Code.

I take the liberty to submit to your Lordship that when the British Government suspended the Consular jurisdiction it never intended to submit us to the Mussulman law, and this clearly results from the correspondence passed between Her Majesty's Government and that of the French Republic in 1882. From the correspondence it results that the Government of the French Republic gave the assurance that criminal affairs were to be only judged according to French law.

I have also to submit to your Lordship that several persons of other nationalities have been charged with the same crime, but your Lordship will be pleased to note that none of the Frenchmen who have been called before the Tribunal for acts of the same nature have been condemned to imprisonment, nor any one of them has been condemned to have his Judgment published in the newspapers, and copies of same affixed at the door of his shop. Such measures have only been adopted against us, British subjects.

Therefore, it clearly results that justice is not equal for all, and that the local authorities are using their utmost to ruin us as strangers.

The Undersigned begs your Lordship to be pleased to instruct our Consul to open an inquiry, and after verifying the facts mentioned and the result reported to your Lordship, Her Britannic Majesty's Government may transmit to him the necessary instructions in order to cause that this state of affairs may cease without delay.

I have, &c.

(Signed) SALVATORE CASSAR.

No. 257.

Consul Ricketts to the Marquis of Salisbury.—(Received April 12.)

(No. 28.)

My Lord,

Tunis, April 8, 1889.

I HAVE the honour to inform your Lordship that the observations spoken of in your Lordship's despatch No. 10 of the 18th January last will be forwarded this week.

I have, &c.

(Signed) G. T. RICKETTS.

The Marquis of Salisbury to Mr. White.

(No. 45.)

Sir, *Foreign Office, April 12, 1889.*
I TRANSMIT to you the accompanying copy of a letter from Mr. Bensaude, a British subject, complaining of an assault committed upon him by Moors at Rabat;* and I have to instruct you to furnish me with a report upon the matter.

I am, &c.
(Signed) SALISBURY.

The Marquis of Salisbury to Mr. White.

(No. 46.)

Sir, *Foreign Office, April 12, 1889.*
I APPROVE the note that you addressed to Cid Emfadi Gharnet, the Moorish Vizir, a translation of which accompanied your despatch No. 46 of the 2nd instant, in regard to the indemnity to be paid to the North West Africa Company on account of the injury to their trade at Cape Juby.

I am, &c.
(Signed) SALISBURY.

Foreign Office to Consul Ricketts.

(No. 33.)

Sir, *Foreign Office, April 12, 1889.*
I AM directed by the Marquis of Salisbury to transmit to you the accompanying copy of a letter from Mr. Salvatore Cassar, a British subject resident in Tunis, complaining of the treatment to which he has been subjected by the Tunisian authorities;† and I am to instruct you to furnish his Lordship with a report upon the case.

I am, &c.
(Signed) P. CURRIE.

Foreign Office to Mr. Bensaude.

Sir, *Foreign Office, April 12, 1889.*
I AM directed by the Marquis of Salisbury to acknowledge the receipt of your letter of the 8th instant, complaining of an assault committed upon you by Moors at Rabat; and I am to state to you that Her Majesty's Representative in Morocco, to whom a copy of your letter has been sent, has been instructed to report upon the matter.

I am, &c.
(Signed) P. CURRIE.

Foreign Office to Mr. Cassar.

Sir, *Foreign Office, April 12, 1889.*
I AM directed by the Marquis of Salisbury to acknowledge the receipt of your letter, undated, complaining of the treatment to which you have been subjected by the Tunisian authorities; and I am to state to you that Her Majesty's Consul at Tunis, to whom a copy of your letter has been sent, has been instructed to furnish his Lordship with a Report upon the case.

I am, &c.
(Signed) P. CURRIE.

* No. 255.

† No. 256.

Consul-General Playfair to the Marquis of Salisbury.—(Received April 13.)

(No. 6.)

My Lord,

Algiers, April 8, 1889.

I HAVE received information, from a perfectly reliable source, of events on the frontier of Morocco, which may prove to be of very serious importance. For some time past the Moroccans in the neighbourhood of Djebel-Amour and Figuig have complained that the French troops at Ain-Sefra, the most southerly point occupied by them and the termination of the railway between Arzeu, Saida, &c., have been in the habit of violating their territory and carrying off their sheep.

A few days ago, as a reprisal, they captured two spahis, deprived them of their arms and uniforms and sent them back into French territory. The Chief of the "Bureau Arabe" at Ain-Sefra demanded the instant restitution of these, but the Caid of Figuig refused to give them up.

The French will no doubt make a complaint to the Sultan, probably on the occasion of their Minister's visit to Morocco. Captain Devialai, Military Attaché to the Governor-General, has left Algeria to accompany him, possibly with this in view.

I should not be in the least surprised to hear that troops have been ordered to occupy Figuig: there is no spot in the Morocco territory so ardently desired by the French Government as this. There would be no difficulty about it, and the railway could be continued to it in a very short space of time.

I have, &c.
(Signed) R. LAMBERT PLAYFAIR.

Mr. White to the Marquis of Salisbury.—(Received April 15.)

E

(No. 47.)

My Lord,

Tangier April 5, 1889.

I HAVE the honour to report that M. Patenôtre, the new French Minister, left Tangier for Fez yesterday to present his credentials to the Sultan.

M. Patenôtre was accompanied by M. Boutiron, First Secretary; Count de la Forest Divonne, Attaché; M. Piat, First Dragoman; M. Benchimol, Second Dragoman; and the following military and naval officers: M. de Raymond-Cohusac, Chef de Bataillon; M. Viaud, Lieutenant de Vaisseau; Capitaine de Vialar, Officier d'Ordonnance du Gouverneur de l'Algérie; and Lieutenants Larisse, Minard, and Detrie; one Corporal of Engineers and five Chasseurs d'Afrique also accompanied the Mission.

M. Patenôtre stated that the object of his visit to the Court was to present his credentials, and to settle the outstanding claims of French subjects, which his predecessor, from his sympathy with the Moors, had, as M. Patenôtre alleged, neglected to efficiently support.

I have, &c.
(Signed) HERBERT E. WHITE.

Mr. White to the Marquis of Salisbury.—(Received April 15.)

(No. 48.)

My Lord,

Tangier, April 6, 1889.

WITH reference to my despatch No. 43 of the 28th ultimo, reporting the commencement of the work of relaying the land portion of the Gibraltar-Tangier cable, I have the honour to inform your Lordship that the agent of the Company states that the new line has been laid and spliced, and that he would have finished covering it in to-day had it not been for the rain now falling, which has interfered with the work: the new line is, however, already in use, and the covering in will be completed to-morrow.

No opposition whatever has been offered by the Moorish authorities, except that

at first natives were not allowed to work; this prohibition was, however, subsequently removed, and Moors were employed in the work.

I have, &c.
(Signed) HERBERT E. WHITE.

No. 266.

Consul Ricketts to the Marquis of Salisbury.—(Received April 15, 12.25 P.M.)

(Telegraphic.) *Tunis, April 15, 1889, 9.5 A.M.*
DOMICILE of another British subject entered by Municipal authorities without my consent. I have protested. Statement will be sent by Italian mail Wednesday.

No. 267.

The Marquis of Salisbury to the Earl of Lytton.

E
(No. 178.)
My Lord, *Foreign Office, April 16, 1889.*

WITH reference to my despatch No. 111 of the 11th ultimo, I transmit to your Excellency the accompanying copy of a further despatch from Her Majesty's Consul at Tunis,* in which he reports that having communicated to Mr. Levy the proposal of the French Government in regard to himself, that gentleman now states that he would prefer to be allowed to retire from the Service altogether either with a larger indemnity or with a pension, as he anticipates difficulties in the future with the French authorities, should he accept a new appointment.

I should be glad to know whether the alternative proposed by Mr. Levy is, in your Excellency's opinion, likely to be acceptable to the French Government.

It is not one which Her Majesty's Government could press, after having stated, as they have done, that the proposal made by the French Government offered ground for a satisfactory settlement of the case. It would not, therefore, be desirable to mention it unless it may be expected to meet with a favourable reception.

It does not appear to me to be necessary to continue discussion on the other points raised in Mr. Rickett's despatch.

I am, &c.
(Signed) SALISBURY.

No. 268.

Mr. J. T. Bownass to Foreign Office.—(Received April 17.)

Sir, *Grove House, Windermere, April 16, 1889.*
WILL you kindly inform me, on behalf of my sister, Mrs. Morris, the widow of the Mr. Morris who was murdered at Cape Juby in March last year, if it is correct, as reported in the "Times" of yesterday, that the Sultan of Morocco has paid to Mr. White, the British Representative in Morocco, the sum of 5,000*l.* as compensation to Mrs. Morris for the loss of her husband, and, if so, when and in what way it is proposed to hand the amount over to her.

I am, &c.
(Signed) J. T. BOWNASS.

No. 269.

Admiralty to Foreign Office.—(Received April 17.)

Sir, *Admiralty, April 16, 1889.*
I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, copy of a letter from

* No. 249.

the Commanding Officer of Her Majesty's ship "Goshawk," dated the 5th instant, respecting his visit to Cape Juby, *en route* from the West Coast of Africa to Gibraltar. Captain St. John, in forwarding this letter, states that he has sent a copy of it to Her Majesty's Representative at Tangier.

I am, &c.
(Signed) EVAN MACGREGOR.

Inclosure in No. 269.

Commander Pelly to Senior Naval Officer, Gibraltar.

Sir, *"Goshawk," at Gibraltar, April 5, 1889.*
I HAVE the honour to report that, in compliance with Admiralty telegram dated the 16th March, I left Grand Canary on the 17th, arriving at Cape Juby on the 18th.

On landing, I inspected the fort and trading house on the beach belonging to the North-West African Trading Company, Limited, both of which places have now, by our assistance in placing guns, &c., been placed in an efficient state of defence. The fort I consider practically impregnable, unless artillery is brought against it. The shore or trading house is covered by the guns from the fort.

In the way of guns the Company have two 7-pounder muzzle-loading-rifled guns, three smooth-bores (about 9-pounders), one small Mitrailleuse, numerous Winchester and Snider rifles, also revolvers and swords, with plenty of ammunition.

Regarding the hostile tribes, I saw none during my stay, but on arrival Mr. Hepburn, Manager of North-West African Company, informed me that just previous to our arrival a force of about 200 troops had been seen, but on the fort firing two guns to intimidate them they scattered, and nothing more was seen of them.

On account of bad weather and anchorage I put to sea on the 23rd, proceeding to Grand Canary, leaving Mr. Carroll (gunner) in the fort.

I returned to Cape Juby on the 28th, taking over Mr. Mackenzie, the managing agent of the firm, who had just arrived from England, and found that trade had recommenced on the 25th; there had been no signs of hostilities; also, that a force of 100 friendly natives had been brought down by a Chief, and were encamped round the shore-house to protect it.

Having disembarked Mr. Mackenzie and embarked Mr. Carroll, I shortly after left for Gibraltar.

I have, &c.
(Signed) J. H. PELLY.

No. 270.

Consul Ricketts to the Marquis of Salisbury.—(Received April 18.)

(No. 30.) *Tunis, April 11, 1889.*
My Lord,
I HAVE the honour to transmit herewith inclosed a copy of the sentence issued against Giuseppe Licari and Emmanuele Licari, his brother, who is in reality only an employé of Giuseppe, the business being carried on solely by Giuseppe Licari. They are both condemned for cheating in the quality of the merchandize sold, and also for falsification of liquors.

Giuseppe Licari is to be imprisoned for fifteen days with a fine of 500 piastres. Emmanuele Licari is to be imprisoned for eight days with a fine also of 500 piastres. All the seized goods are to be destroyed, and a copy of the sentence to be nailed on the door of their house, the same to be inserted in the newspapers of this place at their expense.

As regards the cheating of which these people are accused in selling a beverage in which there is no gum for syrup of gum, Mr. Licari says that what was made consisted only of sugar and water, that the sale of this has been customary in Tunis for years past, that it was injurious to the health of no one, and that this is even now allowed to be sold by the police under another name.

Further, he maintains that in the liquor called "Raspberry Syrup," there is raspberry, which was imported from France, and as regards the rum and other liquors, he asserts there is no "houille de goudron" whatever or aniline in them.

which could easily be proved if the other bottles seized were subject to a proper analysis.

If this be the case it is exceedingly hard that such errors should be visited with fine and imprisonment.

The other brothers of Giuseppe Licari have also been condemned. I have not, as yet, obtained a copy of the sentence against them, but will do so as soon as possible. They are employed in another shop by Giuseppe Licari.

The appeal on this case will, I hear, commence on the 15th May next, in Algiers.

I have, &c.
(Signed) T. G. RICKETTS.

Inclosure in No. 270.

Judgment against Giuseppe Licari and Emmanuele Licari.

Extrait des Minutes du Greffe du Tribunal Civil de Première Instance de Tunis.

L'AN 1889 et le 6 Mars, à l'audience Correctionnelle tenue publiquement dans la salle du Palais de Justice à Tunis, où étaient présents: MM. Geoffroy, Chevalier de la Légion d'Honneur, Président; Magnier, Juge; Watrin, Juge Suppléant. En présence de M. Fropo, Substitut du Procureur de la République, occupant le siège du Ministère Public, avec l'assistance de M. Chainet, Paul, Commis-Greffier, et de M. Goguyer, Interprète Judiciaire pour la langue Arabe, a été rendu le Jugement dont la teneur suit:

Entre le Ministère Public demandeur par acte de Partel, huissier, à Tunis, en date du 13 Février, 1889, d'une part; et les nommés: premièrement, Licari Giuseppe, sujet Anglo-Maltaise, né en 1859 à Malte, fils de Carmelo et de Giocchina Defelice, célibataire, liquoriste, Rue d'Espagne, à Tunis; deuxièmement, Licari, Emmanuele, sujet Anglo-Maltaise, né en 1869 à Malte, même filiation que le précédent, employé, Rue d'Espagne, à Tunis, 17 Octobre, 1888, Tunis. Bris de scellés; 200 fr. d'amende.

Comparants prévenus de tromperie sur la qualité de la marchandise vendue; fabrication, mise en vente de boissons falsifiées, d'autre part.

A l'appel de la cause M. le Procureur de la République a exposé qu'il avait fait citer les prévenus à comparaître par-devant le Tribunal à la présente audience pour se défendre en raison de la prévention ci-dessus indiquée; puis le Greffier a donné lecture des procès-verbaux à l'audition, hors la présence les uns des autres, des témoins produits; avant de déposer, chaque témoin a fait serment de dire toute la vérité et rien que la vérité et a dit n'être ni parent ni allié d'aucun des prévenus, ne pas les avoir à son service et n'être pas au leur; les prévenus ont été interrogés; le Greffier a tenu note des déclarations des témoins et des réponses des prévenus, le Ministère Public a résumé l'affaire et a requis l'application de la loi. Les prévenus, assistés de Me Bodoy, avocat défenseur, ont présenté leurs moyens de défense. Puis le Tribunal, après en avoir délibéré conformément à la loi, a statué en ces termes:

Attendu que d'un Rapport dressé par Alexandre, Préparateur au Laboratoire de Chimie Agricole et Industrielle de Tunis, il résulte: premièrement, que plusieurs litres d'une liqueur portant cette étiquette: "Sirop de Gomme," et saisis dans les magasins de Giuseppe et Emmanuele Licari, ont été trouvés ne contenir aucune addition de gomme; deuxièmement, que plusieurs litres d'une liqueur portant cette étiquette: "Sirop de Groseille," et saisis dans les magasins de Giuseppe et Emmanuele Licari, ont été trouvés, après analyse chimique, ne contenir aucune addition de groseille; troisièmement, que diverses quantités d'une liqueur qualifiée "menthe," d'une liqueur qualifiée "Rhum Licari," d'une liqueur qualifiée "Fernet Licari," ont été trouvées colorées avec un dérivé du goudron de houille, substance nuisible à la santé;

Attendu que le Rapport de l'expert Alexandre a été confirmé par une seconde expertise dressée par Bertainchamps, Directeur du Laboratoire de Chimie Agricole et Bertholon, Docteur en Médecine de la Faculté de Paris;

Attendu, il est vrai, que les prévenus ont contesté les résultats de cette double expertise et qu'ils produisent pour justifier cette contestation un Rapport du Dr. Casanella qui, en effet, contredit les conclusions des précédents experts. Mais

attendu que ce Rapport, dressé dans des conditions qui lui enlèvent toute garantie de certitude et d'autorité ne saurait être admis sans réserve par le Tribunal;

Attendu, d'ailleurs, qu'une quatrième vérification due également à l'initiative des prévenus et consacré par un Rapport du Dr. Cazeneuve, Professeur de Chimie à la Faculté de Médecine de Lyon, a pleinement confirmé le résultat des analyses auxquelles avaient procédé MM. Alexandre Bertainchamps et Bertholon. Attendu qu'il reste donc acquis au Tribunal que les sirops de gomme et de groseille provenant de l'officine des Frères Licari ne contenaient en réalité ni gomme ni groseille; que les liqueurs de menthe, que le Rhum, que le Fernet Licari, fabriqués par eux avaient été colorés avec un dérivé de la houille;

Attendu que pour écarter les deux premiers chefs de prévention les prévenus articulent que les sirops de gomme livrés à la consommation par d'autres fabricants que les pharmaciens ne contiennent jamais de gomme dans les usages ordinaires de la manipulation; qu'ils ne sont en réalité qu'un sirop de sucre, absolument propres d'ailleurs à l'usage auquel les consommateurs le destinent. Mais attendu que les bouteilles de liquide saisis chez les Frères Licari portaient cette étiquette: "Sirop de Gomme," que c'est sous cette dénomination qu'ils étaient ou vendus ou mis en vente, que dans les formules du codex le sirop de gomme doit contenir au moins 10 pour cent de gomme, que ce produit n'est pas seulement débité chez les pharmaciens; qu'il convient dès lors que ceux qui s'adressent à d'autres fabricants ne soient pas trompés par des indications inexactes sur la nature du produit qu'ils achètent;

Attendu en ce qui concerne le sirop de groseille que les prévenus prétendent qu'ils l'ont fabriqué avec des essences ou extraits de groseilles achetés par eux en France; que ces affirmations ne sont en rien justifiées par eux, qu'elles sont contredites par des expertises dont il a été parlé. Attendu que les prévenus ne contestent pas qu'ils ont vendu ces produits et trompé ainsi sur la nature de la chose vendue; qu'au surplus le Décret du 11 Rhamdan, 1305 (2 Mai, 1888), punit le fait de tentative de tromperie; Attendu et quant aux derniers chefs de prévention, qu'après avoir contesté l'addition dans leurs liqueurs d'un colorant dérivé du goudron de houille, les prévenus ont en dernière analyse soutenu que ce mode de coloration ne pouvait être nuisible à la santé. Mais attendu que la Circulaire jointe au Décret du 11 Rhamdan, 1305, indique limitativement les produits colorants dont les fabricants pourront faire usage, que les dérivés du goudron de houille ne sont pas compris dans cette nomenclature absolument limitative; que bien plus, elle exclut absolument les colorants minéraux pour n'admettre que ceux qui sont empruntés aux végétaux. Attendu, d'ailleurs, que les appréciations du Dr. Bertholon, que le Tribunal s'approprie comme certaines et exactes; considèrent les dérivés de houille comme pouvant avoir sur la santé un effet nuisible. Attendu que les controverses qui se sont produites aux débats n'ont pas fait échec à cette opinion.

Que les auteurs les plus favorables aux prévenus, et notamment le Dr. Cazeneuve, sont obligés de reconnaître: premièrement, que certains dérivés de la houille peuvent avoir des effets nuisibles ou même toxiques; deuxièmement, que tous peuvent avoir les mêmes effets lorsqu'ils ne sont pas chimiquement purs. Que c'est donc à bon droit que divers Comités d'Hygiène ont exclu des manipulations alimentaires des produits qui, s'ils ne sont absolument toxiques, peuvent cependant être une cause de trouble et de phénomènes morbides lorsqu'ils sont mêlés à des liquides dont certaines personnes font un usage journalier, tel que le Fernet Licari, et auxquels, d'ailleurs, le débitant attribue des vertus reconstituantes qui les font rechercher particulièrement des personnes malades ou affaiblies.

Attendu que ces faits constituent les délits prévus et punis par les Articles 423 du Code Pénal, 1 et 2 de la Loi du 27 Mars, 1851, 1 et 2 du Décret Beylical du 21 Mai, 1888. Mais attendu qu'il existe dans la cause des circonstances atténuantes en faveur des prévenus, et qu'il y a lieu de les faire bénéficier des dispositions de l'Article 453 du Code Pénal;

Attendu qu'il y a lieu également de leur faire application de l'Article 365 du Code d'Instruction Criminelle, lequel ordonne qu'en cas de convictions de plusieurs crimes ou délits la peine la plus forte est seule appliquée;

Vu les dits Articles ensemble, les Articles 52 et 55 du même Code, et 194 du Code d'Instruction Criminelle, et 2 et 9 de la Loi du 22 Juillet, 1867, dont le Président a donné lecture à l'audience et qui sont ainsi conçus:

Article 423, Code Pénal. Quiconque aura trompé l'acheteur sur le titre des matières d'or ou d'argent, sur la qualité d'une pierre fautive vendue pour fine, sur la nature de toute marchandise . . . sera puni d'un emprisonnement de trois mois au moins, et d'un an au plus, et d'une amende qui ne pourra excéder le quart des restitutions et dommages-intérêts ni être au-dessous de 50 fr.

Le Tribunal pourra ordonner l'affichage du Jugement dans les lieux qu'il désignera et son insertion dans les journaux, le tout aux frais du condamné. Loi du 27 Mars, 1851, Article 1^{er}. Seront punis des peines portées par l'Article 423 du Code Pénal, paragraphe 1: ceux qui falsifieront des substances ou denrées alimentaires ou médicamenteuses destinées à être vendues; deuxièmement, ceux qui vendront ou mettront en vente des substances qu'ils sauront être falsifiées ou corrompues; troisièmement, ceux qui auront trompé ou tenté de tromper sur la qualité de la chose vendue.

Article 2. S'il s'agit de marchandises contenant des mixtions nuisibles à la santé l'amende sera de 50 fr. à 500 fr., l'emprisonnement de trois mois à deux ans.—Décret Beylical du 21 Mai, 1888.

Article 1^{er}. Quiconque aura falsifié ou altéré des substances ou denrées alimentaires ou médicamenteuses destinées à être vendues, aura sciemment vendu ou mis en vente des denrées falsifiées ou corrompues, ou aura trompé ou tenté de tromper sur la qualité des choses livrées sera puni d'un emprisonnement pendant trois mois au moins, un an au plus, et d'une amende qui ne pourra excéder le quart des restitutions et dommages-intérêts ni être au-dessous de 80 piastres. En outre, les objets du délit seront confisqués.

Article 365 du Code d'Instruction Criminelle, paragraphe 2. En cas de conviction de plusieurs crimes ou délits, la peine la plus forte sera seule prononcée.

Article 463. Dans tous les cas où la peine de l'emprisonnement et celle de l'amende sont prononcées par le Code Pénal, si les circonstances paraissent atténuantes, les Tribunaux Correctionnels sont autorisés, même en cas de récidive, à réduire l'emprisonnement même au-dessous de six jours, et l'amende même au-dessous de 16 fr. Ils pourront aussi prononcer séparément l'une ou l'autre de ces peines, et même substituer l'amende à l'emprisonnement, sans qu'en aucun cas elle puisse être au-dessous des peines de simple police.

Article 55. Tous les individus condamnés pour un même crime ou pour un même délit seront tenus solidairement des amendes, des restitutions, des dommages-intérêts, et des frais.

Article 52. L'exécution des condamnations à l'amende, aux restitutions, aux dommages-intérêts, et aux frais, pourra être poursuivie par la voie de la contrainte par corps.

Article 194 du Code d'Instruction Criminelle. Tout Jugement de Condamnation rendu contre le prévenu et contre les personnes civilement responsables du délit, ou contre la partie civile, les condamnera aux frais, même envers la partie publique. Les frais seront liquidés par le même Jugement.

Article 2 de la Loi du 22 Juillet, 1867. La contrainte par corps est maintenue en matière criminelle, correctionnelle, et de simple police.

Article 9. La durée de la contrainte par corps est réglée ainsi qu'il suit: de deux jours à vingt jours lorsque l'amende et les autres condamnations n'excèdent pas 50 fr.; de vingt jours à quarante jours lorsqu'elles sont supérieures à 50 fr. et qu'elles n'excèdent pas 100 fr.; de quarante jours à soixante jours lorsqu'elles sont supérieures à 100 fr. et qu'elles n'excèdent pas 200 fr.; de deux mois à quatre mois lorsqu'elles sont supérieures à 200 fr. et qu'elles n'excèdent pas 500 fr.; de quatre mois à huit mois lorsqu'elles sont supérieures à 500 fr. et qu'elles n'excèdent pas 2,000 fr.; d'un an à deux ans lorsqu'elles s'élèvent à plus de 2,000 fr.

Par ces motifs le Tribunal déclare les nommés Licari, Giuseppe, et Licari, Emmanuele, coupables du délit ci-dessus spécifié; admet en leur faveur le bénéfice des circonstances atténuantes, et leur faisant application des dispositions des Articles précités, les condamne: Licari, Giuseppe, à quinze jours de prison et 500 piastres d'amende; Sicari, Emmanuele, à huit jours de prison et 500 piastres d'amende: Ordonne la destruction des marchandises saisies, ordonne l'affichage du présent Jugement à la porte de la maison de commerce des prévenus, et son insertion dans le "Journal Officiel" Tunisien et le Journal Italien "l'Unione;" le tout aux frais des prévenus et solidairement par corps envers l'État, aux frais du procès liquidés à 12 fr. 20 c., sauf le coût de l'expertise, des affichages, et insertions. Fixé au minimum la durée de la contrainte par corps. Ainsi jugé et prononcé en audience publique le jour, mois, et an que dessus.

Et ont le Président et Juges signé avec le Commis-Greffier.

I hereby certify the preceding to be a true copy of the original.

(Signed) G. CARONARO,
British Pro-Consul.

Tunis, April 11, 1889.

No. 271.

Foreign Office to Mr. J. T. Bownass.

Sir,

Foreign Office, April 20, 1889.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your letter of the 16th instant, and to inform you that bills representing the indemnity paid by the Sultan of Morocco to Her Majesty's Representative at Tangier on account of the murder of Mr. Morris at Cape Juby have been received at this Office.

As soon as these bills have been realized, which will be in about a fortnight's time, a further communication will be made to you upon the subject.

I am, &c.

(Signed) T. H. SANDERSON.